# Manitoba Justice
**(including Justice Initiatives Fund)**

## Annual Report
## 2014 - 2015

Manitoba

**Manitoba Justice**
Administration, Finance & Justice Innovation
Phone: 204-945-4378
Room 1110-405 Broadway
Winnipeg, MB R3C 3L6

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Nous vous invitons toutefois à consulter la lettre d'accompagnement
en français qui figure en début de document.

**This publication is available in alternate format upon request.**

ATTORNEY GENERAL
MINISTER OF JUSTICE

Room 104
Legislative Building
Winnipeg, Manitoba CANADA
R3C 0V8

Her Honour the Honourable Janice C. Filmon, C.M., O.M.
Lieutenant Governor of Manitoba
Room 234 Legislative Building
Winnipeg MB R3C 0V8

MAY IT PLEASE YOUR HONOUR:

It is my privilege to present for the information of Your Honour the *Annual Report* of Manitoba Justice and the Justice Initiatives Fund for the fiscal year ending March 31, 2015.

Respectfully submitted,

Honourable Gord Mackintosh
Minister of Justice
Attorney General

Manitoba

Justice
Deputy Minister of Justice and Deputy Attorney General
Room 110 Legislative Building, Winnipeg, Manitoba, Canada R3C 0V8

Honourable Gord Mackintosh
Minister of Justice
Attorney General
Room 104 Legislative Building
Winnipeg MB R3C 0V8

Dear Minister Mackintosh:

I am pleased to present the *Annual Report* of Manitoba Justice and the Justice Initiatives Fund for 2014-15.

Our vision as a Department is that Manitobans are safe in their communities and have confidence in the justice system. To work toward that vision, our mission is that we support and promote safe and just communities for all Manitobans. These statements reflect the single collective purpose that our Department serves.

In the criminal justice system, this past year saw leaders from across the Department as well as other stakeholders participate in a structured, evidence-based Delivery process to achieve a common understanding of the key performance patterns and drivers in criminal justice. While this work continues, it has already led to the creation of a new unit in Prosecution Services that will perform intensive case assessment early in the life of criminal matters to ensure they are dealt with appropriately at the earliest possible opportunity.

We have also continued with organizational restructuring to enable the Department to improve efficiencies and internal communications and improve delivery of front-line services. I am also pleased to report on the creation within the Department of the Independent Investigations Unit (IIU) in fulfilment of the recommendations of the Taman inquiry. The IIU forms one of the three pillars of *The Police Services Act* intended to modernize policing in Manitoba.

We are also continuing to increase our use of technology to modernize and improve the administration of justice. In partnership with the RCMP we have deployed e-Ticketing province-wide to significantly reduce the paperwork in processing Common Offence Notices. Improvements to the Courts website were made to better assist the public in understanding and navigating the justice system. We continue to increase our capacity for video court, and our Lawyer Video Interview program is now offered in eight of our nine provincial correctional centres with the addition this year of Milner Ridge, the second largest facility for remanded inmate population.

We have also worked on legislative changes to ensure safe and just communities for Manitobans. The proposed *Intimate Images Protection Act* will make it an offence to distribute intimate images without consent and will also allow victims to pursue legal action in civil court. Another bill, related to road safety, proposes changes to *The Highway Traffic Act* and *The Drivers and Vehicles Act* to make our roads safer by imposing stiffer consequences for certain driving offences and by ensuring that the Registrar of Motor Vehicles is informed immediately after charges are laid for serious driving infractions. Bill 33-*The Family Law Reform Act* will significantly modernize family law in Manitoba, recognizing the diversity of families in Manitoba and their changing needs in our society.

All of this work, and much more, is due to the hard work of the Department's staff. Much credit and recognition also needs to go to our partners in the administration of justice outside the Department, such as police, the legal profession, community organizations, and of course the judiciary, whose leadership is invaluable. The justice system is complex and interdependent and it has never been more important to work collaboratively with other justice partners to support a safe society and a strong system of justice for Manitobans.

I am honoured and privileged to transmit this report on behalf of all the committed and talented members of the Department.

Yours truly,

Julie Frederickson
Deputy Minister of Justice
Deputy Attorney General

# Manitoba

**Sous-ministre de la Justice**
**et sous-procureur général**

Palais législatif, bureau 110
Winnipeg (Manitoba) R3C 0V8

Monsieur Gord Mackintosh
Ministre de la Justice
et procureur général
Palais législatif, bureau 104
Winnipeg (Manitoba) R3C 0V8

Monsieur le Ministre,

J'ai l'honneur de vous présenter le *Rapport annuel* du ministère de la Justice du Manitoba et du Fonds des initiatives concernant l'administration de la justice pour l'exercice 2014-2015.

En tant que ministère, notre vision est que les Manitobains et Manitobaines soient en sécurité dans leur collectivité et qu'ils aient confiance envers le système de justice. En vue de concrétiser notre vision, notre mission est d'appuyer et d'encourager des collectivités sécuritaires et justes pour tous les Manitobains. Ces énoncés illustrent l'objectif collectif unique que vise notre ministère.

Dans le système de justice pénale, nous avons vu au cours de l'année écoulée des chefs de file de tout le ministère ainsi que d'autres intervenants participer à un processus de prestation de services structuré et fondé sur des données probantes afin d'avoir une compréhension commune des forces et des tendances clés de la performance dans la justice pénale. Tandis que ce travail continue, il a déjà mené à la création au sein du Service des poursuites d'une unité qui évaluera de manière intensive les causes criminelles au début du processus afin de s'assurer qu'elles sont traitées de manière appropriée le plus tôt possible.

Nous avons aussi continué une restructuration organisationnelle afin de permettre au ministère d'améliorer l'efficacité et les communications internes, ainsi que la prestation de services de première ligne. J'ai aussi le plaisir de faire un compte rendu de la création au sein du ministère de l'Unité d'enquête indépendante en réponse aux recommandations de l'Enquête sur l'affaire Taman. Cette Unité constitue l'un des trois piliers de la *Loi sur les services de police* dont l'objectif est de moderniser les services de police au Manitoba.

Nous continuons aussi à utiliser davantage la technologie afin de moderniser et d'améliorer l'administration de la justice. En partenariat avec la GRC, nous avons mis en place un système d'avis de contravention électronique à l'échelle de la province afin de réduire de manière importante les lourdeurs administratives dans le traitement des avis d'infraction fréquente. On a apporté des améliorations au site Web des tribunaux afin de mieux aider le public à comprendre le système judiciaire et à s'y retrouver. Nous continuons à augmenter notre capacité en matière de tribunaux par vidéo, et notre programme d'entrevue par vidéo avec un avocat est maintenant

offert dans huit de nos neuf centres correctionnels provinciaux, avec l'ajout cette année de Milner Ridge, qui est le deuxième centre de la province en terme de nombre de personnes en détention provisoire.

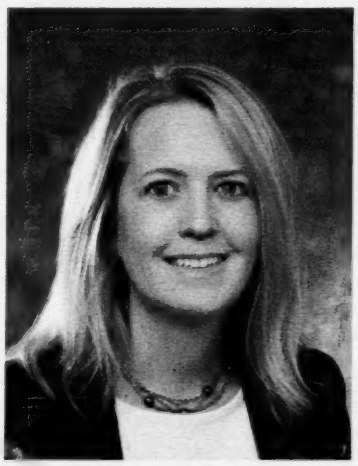
Nous avons aussi travaillé sur des modifications législatives afin d'assurer des collectivités sécuritaires et justes pour les Manitobains et Manitobaines. La *Loi sur la protection des images intimes* proposée rendra illégale la distribution d'images intimes sans le consentement des personnes impliquées, et permettra aussi aux victimes d'entreprendre une action en justice devant un tribunal civil. Un autre projet de loi, concernant la sécurité routière, propose des modifications au *Code de la route* et à la *Loi sur les conducteurs et les véhicules* afin d'accroître la sécurité de nos routes, en imposant des conséquences plus lourdes pour certaines infractions de conduite et en s'assurant que le registraire des véhicules automobiles est immédiatement informé lorsque des accusations d'infractions de conduite graves sont portées. Le projet de loi 33, la *Loi sur la réforme du droit de la famille*, modernisera de manière importante le droit de la famille au Manitoba, en reconnaissant la diversité des familles dans la province et leurs besoins changeants dans notre société.

Tous ces travaux, et plus encore, sont faits grâce au travail considérable des employés du ministère. Nous devons aussi reconnaître et féliciter nos partenaires dans l'administration de la justice à l'extérieur du ministère, comme la police, les avocats, les organisations communautaires et bien entendu la magistrature, dont le leadership est inestimable. Le système de justice est complexe et interdépendant, et il est plus important que jamais de travailler de concert avec d'autres partenaires du système judiciaire afin de contribuer au maintien de la sécurité dans la société et à la solidité du système judiciaire pour tous les Manitobains et Manitobaines.

C'est un honneur et un privilège pour moi de vous transmettre le présent rapport au nom de tous les membres talentueux et dévoués du ministère.

Je vous prie d'agréer, Monsieur le Ministre, mes salutations distinguées.

Julie Frederickson
Sous-ministre de la Justice
et sous-procureure générale



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# Introduction

With headquarters in downtown Winnipeg on historic Broadway, Manitoba Justice is responsible for the administration of civil and criminal justice in Manitoba. Key responsibilities flow from provincial legislation such as *The Department of Justice Act*, *The Correctional Services Act*, *The Legal Aid Manitoba Act* and *The Victims' Bill of Rights*. In addition, the department has significant delegated responsibility under federal legislation, as a result of the *Constitution Act, 1867*, which includes most notably the *Criminal Code* and the *Youth Criminal Justice Act*. Manitoba Justice is also responsible for the administration and enforcement of over 100 other provincial statutes[1] relating to civil law, court administration, correctional services, regulatory provisions and other matters for which the Manitoba government assumes legal responsibility.

Manitoba Justice, a large department with over 3,100 employees, provides a diverse range of services to Manitobans through many regional offices, facilities and operations. Department staff come from a wide variety of backgrounds, including lawyers, correctional officers, managers, administrators, financial officials, law enforcement specialists, information technologists, social workers, teachers, nurses, paralegals, and clerical and support staff.

## Report Structure

The *Annual Report* of Manitoba Justice is organized in accordance with the department's appropriation structure. An appropriation is an amount of money voted by the Legislative Assembly of Manitoba to provide for operation of a program during a fiscal year (April 1 through March 31). The total appropriation for Manitoba Justice (known as the main-appropriation) is broken down into sub-appropriations for the specific divisions, branches and areas of the department.

The activities of every branch or section are outlined in this report. It includes information at the main and sub-appropriation levels for the department's objectives, actual results achieved, financial performance and major variances. It also provides a five-year historical table giving the departmental expenditures and staffing. Expenditure and revenue variances are explained. Reports and financial information are also provided for affiliated boards, agencies and commissions, some of which issue their own annual reports.

The report also includes information on the department's capital investments and projects supported by the Justice Initiatives Fund. Separate sections summarize the department's performance reporting, sustainable development and disclosures of wrongdoing by employees.

To maintain consistency among government-wide reporting documents, all dollar amounts contained in the financial tables and narratives are expressed to the nearest thousand dollars. For example, thirty-five thousand one hundred dollars is shown as 35 $(000s). Staffing resources are reported in the form of full-time equivalents (FTEs).

## Vision and Mission

Our Mission is to support and promote safe and just communities for all Manitobans.

Our Vision is to ensure Manitobans are safe in their communities and have confidence in the justice system.

Our Values:

The Department's strength comes from its people. Accordingly,

- We are committed to building a department that promotes a respectful work environment and recognizes people's commitment, performance and achievements.
- We value personal integrity, leadership, responsibility, participation and teamwork.
- We encourage outstanding client and community service, initiative and innovation.

The Department has identified three critical values that will underpin its decision-making and change process:

- Corporate approach
- Evidence-based reforms
- Respectful and open dialogue

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[1] See Appendix I for a complete list of acts administered by the Minister of Justice.

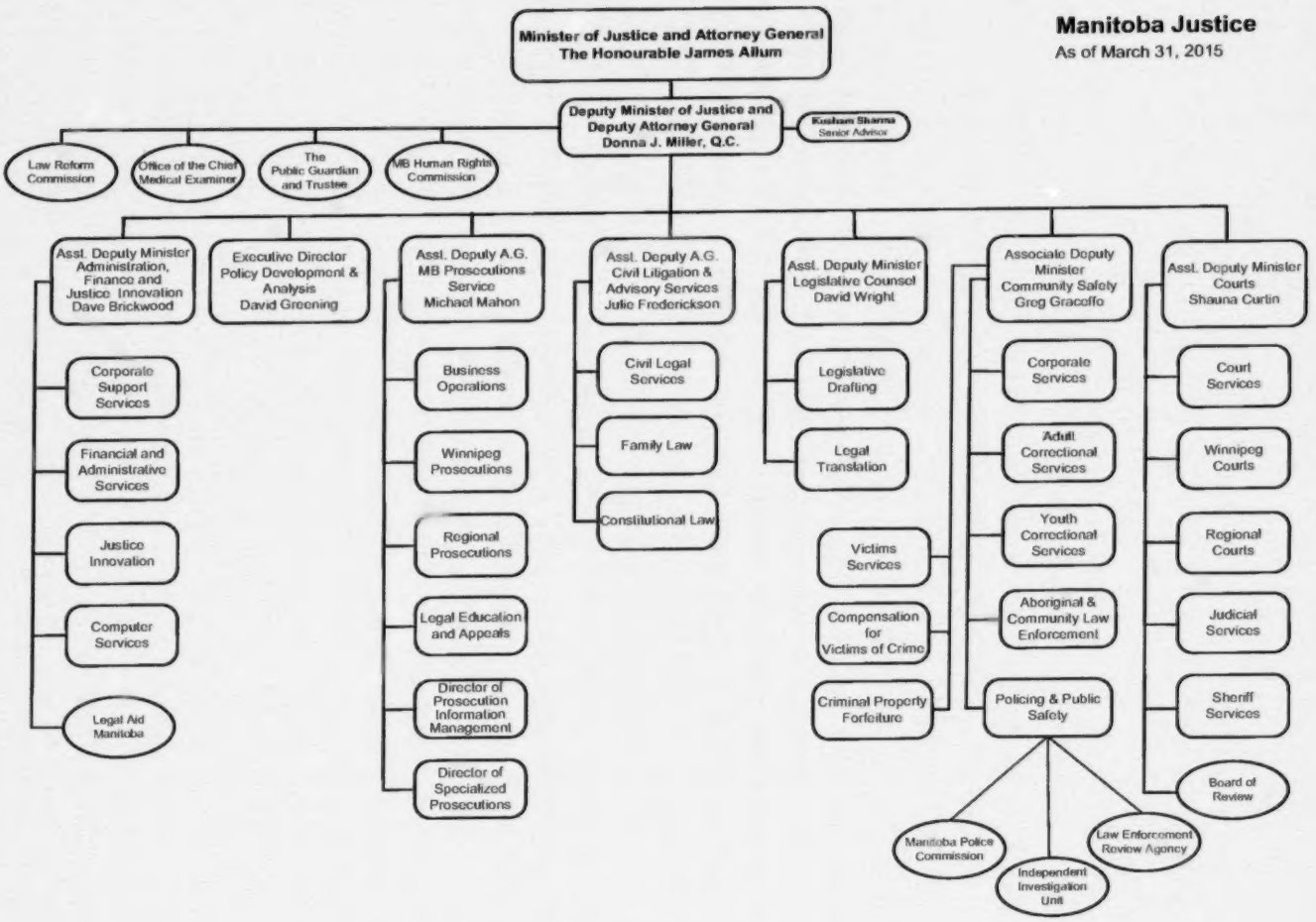
**Our Principles:**

- We recognize that in the exercise of our authority, we at all times act in trust for the public.
- We accept that our system of justice is based on law and a respect for the rights of individuals as well as the rights of the community as a whole.
- We seek to promote an open and accessible system of justice that treats all persons fairly and with respect.
- We recognize the diversity in our society and the need to be responsive to that diversity, especially in regard to Aboriginal persons.
- We value communication, co-operation and interdependence and recognize the need to involve government and non-government partners in the development of integrated approaches to the administration of justice in Manitoba and throughout Canada.
- We respect and value the role the public can play in the delivery of justice and in the shaping of our institutions and programs.
- We believe in promoting the individual's responsibility to the larger community.
- We support the development of preventative approaches to problems and the prompt and just resolution of conflicts.
- We recognize that there is a need to improve how Justice delivers service.

## Departmental Organization

- The Department's finances are voted under six main appropriations: administration, finance and justice innovation (04-1), criminal justice (04-2), civil litigation & advisory services (04-3), community safety (04-4), courts (04-5) and costs related to capital assets (04-6).

As illustrated on the organization chart, each operating division is led by an assistant deputy minister (ADM) or equivalent. The departmental structure includes a number of branches, offices, arm's length bodies and a special operating agency (SOA), the Office of the Public Guardian and Trustee. Special operating agencies are service operations within departments, granted more direct responsibility for results and increased management flexibility in order to encourage initiative and improve service delivery.


Manitoba Justice
As of March 31, 2015
Minister of Justice and Attorney General
The Honourable James Allum
Deputy Minister of Justice and
Deputy Attorney General
Donna J. Miller, Q.C.
Kushan Sharma
Senior Advisor
Law Reform Commission
Office of the Chief Medical Examiner
The Public Guardian and Trustee
MB Human Rights Commission
Asst. Deputy Minister Administration, Finance and Justice Innovation
Dave Brickwood
Corporate Support Services
Financial and Administrative Services
Justice Innovation
Computer Services
Legal Aid Manitoba
Executive Director Policy Development & Analysis
David Greening
Asst. Deputy A.G. MB Prosecutions Service
Michael Mahon
Business Operations
Winnipeg Prosecutions
Regional Prosecutions
Legal Education and Appeals
Director of Prosecution Information Management
Director of Specialized Prosecutions
Asst. Deputy A.G. Civil Litigation & Advisory Services
Julie Frederickson
Civil Legal Services
Family Law
Constitutional Law
Asst. Deputy Minister Legislative Counsel
David Wright
Legislative Drafting
Legal Translation
Victims Services
Compensation for Victims of Crime
Criminal Property Forfeiture
Associate Deputy Minister Community Safety
Greg Graceffo
Corporate Services
Adult Correctional Services
Youth Correctional Services
Aboriginal & Community Law Enforcement
Policing & Public Safety
Manitoba Police Commission
Independent Investigation Unit
Law Enforcement Review Agency
Asst. Deputy Minister Courts
Shauna Curtin
Court Services
Winnipeg Courts
Regional Courts
Judicial Services
Sheriff Services
Board of Review

# Administration, Finance and Justice Innovation

The administration, finance and justice innovation appropriation (04-1) includes the department's executive and administrative support activities. It consists of two major components: executive administration and operational administration.

Executive administration is comprised of three sub-appropriations identified as minister's salary, executive support and policy development and analysis. These areas provide leadership and direction to the department's operational divisions.

The operational administration component of the division is responsible for the department's administrative support and fiscal planning and control functions. It also provides financial services, justice innovation, continuous improvement, business intelligence, facilities management, procurement, fleet vehicles, parking, records management and the development and maintenance of information systems.

## Executive Administration Component

### Minister's Salary

The funds voted for minister's salary provide for additional compensation to the Member of the Legislative Assembly (MLA) appointed to Executive Council (Cabinet) as the Minister of Justice.

The Minister of Justice is also the Attorney General for Manitoba. The attorney general's role is that of chief law officer for the Manitoba government and the official legal advisor to the Lieutenant-Governor in Council and members of Cabinet. The responsibilities stemming from this role are unlike those of any other Cabinet member.

As minister of justice, the minister represents the interests and perspectives of Manitoba Justice at Cabinet, while simultaneously representing the interests and perspectives of Cabinet to the department and the department's communities of interest.

As attorney general, the minister is the chief law officer of Manitoba. The minister plays a special role in advising Cabinet to ensure the rule of law is maintained and that Cabinet actions are consistent with the law and the Constitution of Canada.

**1 (a) Minister's Salary**

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 37 | 1.00 | 37 | 0 | |

### Executive Support

Executive support includes the staff and operation of the offices of the minister and deputy minister who provide management direction and leadership to the department. Activities include advising the minister on policies and emerging issues affecting the department, developing departmental policy, managing departmental activities and projects, and providing administrative services.

The Deputy Minister of Justice and Deputy Attorney General is the administrative head of the department, responsible for managing the day-to-day operations. As the senior public servant in the department, the deputy minister works with a team of assistant deputy ministers and executive directors. The team, in turn, draws on the extensive accumulated knowledge of departmental personnel.

The deputy attorney general is the deputy chief law officer for the Manitoba government, following the attorney general as chief law officer. The deputy attorney general, for example, can prefer an indictment under the

*Criminal Code* directly in the Court of Queen's Bench, Manitoba's superior trial court. There are also other discretionary prosecutorial powers given in law that the deputy attorney general may use.

### 1 (b) Executive Support

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 661 | 9.00 | 708 | (47) | |
| Total Other Expenditures | 103 | | 88 | 15 | 1 |

**Explanation:**
*1. Primarily communication costs and computer replacement expenses.*

## Policy Development and Analysis

The mandate of the Policy Development and Analysis Branch is to:

- provide justice policy advice, develop legislation and help develop programs that advance departmental objectives
- co-ordinate issues having cross-divisional, cross-government or intergovernmental implications
- research and document provincial positions on needed changes to the *Criminal Code*
- provide program and administrative support for the Community Notification Advisory Committee and the Manitoba sex offender website
- act as the department's primary resource for research into issues that affect the justice system

To fulfill this mandate, the branch:

- conducts research and develops justice policy options
- co-ordinates preparation of briefing material for the minister and deputy minister and helps prepare for federal-provincial-territorial (FPT) meetings
- acts as the departmental liaison to the Canadian Centre for Justice Statistics (CCJS), analyzes CCJS reports and represents the department at FPT meetings of the National Justice Statistics Initiative Liaison Officers Committee
- provides research, analytical and administrative support for the Community Notification Advisory Committee
- represents the department at FPT meetings of the Coordinating Committee of Senior Officials (CCSO Criminal Justice) and leads and participates in other FPT committees and working groups
- assists in developing Manitoba's resolutions for the Criminal Section of the Uniform Law Conference of Canada
- examines and comments on federal criminal law initiatives
- leads and participates in development and implementation of legislation
- participates in Manitoba government interdepartmental working groups and committees
- provides policy assistance to other divisions in the development of policies and programs, such as assisting the Prosecutions Service of Manitoba to develop prosecution policies, and in the development of criteria for program evaluation

The following are examples of some of the special projects in which the branch participated during 2014/2015:

- led the development of and implementation work relating to amendments to *The Highway Traffic Act* to expand sanctions for drug impaired driving
- led the development of *The Restorative Justice Act* and participated in work on implementation planning
- led the policy work for the development of a legislative response to the issue of non-consensual distribution of intimate images
- led the policy work to identify changes to prostitution related *Highway Traffic Act* sanctions arising from the federal *Protection of Communities and Exploited Persons Act*
- coordinated the department's response to consultation requests, such as those relating to the proposed national child sex offender database, the *Criminal Code* fine provisions and fine enforcement,, the third party record provisions of the *Criminal Code* and changes to the *Controlled Drugs and Substances Act*

- assisted in developing the department's position in response to federal legislative proposals, such as the federal Victims Bill of Rights, the Protection of Communities and Exploited Persons Act and the Anti-terrorism Act, 2015
- participated in a variety of national working groups and consultations on changes to criminal law and on collection of justice data, including the FPT Impaired Driving Working Group, the FPT Cybercrime Working Group, the FPT Criminal Procedure Working Group, the FPT Sentencing Working Group and the Youth Justice Working Group.
- worked on planning and preparations for hosting the June 2015 meetings of FPT Deputy Ministers of Justice and Public Safety
- analyzed and prepared briefing material for the department on the reports released by the Canadian Centre for Justice Statistics between April 1, 2014 and March 31, 2015

**1 (c) Policy Development and Analysis**

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 498 | 5.00 | 495 | 3 | |
| Total Other Expenditures | 100 | | 117 | (17) | |

## Operational Administration Component

The Administration, Finance and Justice Innovation Division of Manitoba Justice is responsible for the department's operational administration. The division is led by an assistant deputy minister with oversight of two branches: financial and administrative services (includes Justice Innovation) and computer services.

The assistant deputy minister of the division exercises a governance role and oversees grant funding provided to Legal Aid Manitoba, which functions as an independent Crown corporation. The assistant deputy minister is also the designated officer for receiving and investigating disclosures made by Justice employees under *The Public Interest Disclosure (Whistleblower Protection) Act*.

Although not the largest division, the support services provided by Administration, Finance and Justice Innovation Division have a significant overall impact on the daily operations of the department.

## Financial and Administrative Services (includes Justice Innovation)

The Financial and Administrative Services Branch is comprised of four main groups: financial services, administration services, corporate services and justice innovation.

The financial services group assembles and co-ordinates the department's budget, processes all accounts payable, and monitors, evaluates and reports expenditures to senior management. It exercises a comptrollership function to ensure that all revenues are properly accounted for, and that all expenditures are made and reported in accordance with government policies and generally accepted accounting principles.

The administrative services group oversees the department's administrative operations and reporting. Responsibilities include procurement in general, sustainable development initiatives, contracts, leases for space and equipment, fleet vehicles, physical asset inventories, accommodations and capital project requests, staff parking, security, insurance, accommodation cost recoveries, workplace safety and health, and related staff training.

The corporate services group co-ordinates freedom of information access requests and compliance with *The Freedom of Information and Protection of Privacy Act* (FIPPA) and *The Personal Health Information Act* (PHIA). It also provides leadership and support to a number of special cross-divisional projects such as the development of the department's annual strategic plan, sustainability indicators reporting, performance reporting, continuous improvement initiatives (Lean management) and workload indicator development and reporting. Corporate

services also manages departmental records and maintains the Manitoba Justice website at www.gov.mb.ca/justice.

The Justice Innovation group was created in 2011 specifically to look at opportunities that would:

- Improve the average time to disposition for criminal matters
- Reduce the number of inmates on remand status through earlier case resolution
- Reduce the number of remands per case

In addition to working with partners across the Department of Justice, the unit works with the key stakeholders in the criminal justice system including the judiciary, police, Legal Aid and the private defence bar to develop and implement changes that will achieve improvements in the above noted areas.

The means of achieving the improvements cover a wide range of areas including organizational changes, policy changes, work process changes, investments in technology, and resource allocation. The team will conduct detailed review and analysis of current processes and their results to develop sound business cases for improvements and/or investments designed to increase efficiency and effectiveness of the criminal justice system, recognizing that the rights of the accused must be protected. The approach will be incremental by tackling projects that will, when other changes are made in the future, add to any benefits already achieved through the initial projects.

### 1 (d) Financial and Administrative Services (includes Justice Innovation)

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 1,440 | 18.50 | 1,525 | (85) | |
| Total Other Expenditures | 357 | | 274 | 83 | 1 |
| Total Programs/Grants | 1,123 | | 1,123 | 0 | |

**Explanation:**

*1. Primarily desktop costs and an increase in general operating expenses including records management, office supplies and communication costs*

## Computer Services

The Computer Services (Information Systems) Branch provides vision and leadership in the use of technology to assist the department in accomplishing its goals. The branch either directly provides, or obtains from government shared services, the required services or resources to identify, develop, implement and maintain technology solutions that assist program areas in the delivery of effective services. The branch also has the responsibility of leading the department in an annual prioritization of initiatives that have shown there would be a benefit from the incorporation of technology. This process results in an allocation of the department's resources and is intended to maximize alignment to the department's overall priorities and strategies.

The department's long-term strategy for developing Justice computer systems for criminal matters is referred to as the Integrated Justice System (formerly Cooperative Justice Initiative). This strategy incorporates the development of independent system modules to meet critical operational needs, while maintaining a technological framework that allows for an easy flow of data between the modules and promotes future integration and sharing of functionality. This approach is seen as the most effective and fiscally responsible method of applying systems and technology solutions to a number of separate but cooperative Justice programs. These programs must work effectively together without compromising their independence from each other. Significant efforts have been made to ensure that all technology components support the program areas' immediate requirements and are consistent with the department's long-term strategies.

The Integrated Justice System remains a major focus of the Computer Services Branch. This initiative, made up of a number of interdependent projects, will enable the provincial criminal court system Criminal Courts Automated Information Network (CCAIN), the prosecutions and victim services system Prosecutions Information Scheduling & Management System (PRISM), and the Corrections Offender Management System (COMS) to exchange information and significantly enhance the processes requiring inter-divisional co-operation. It will also enable the electronic exchange of information with external partners and agencies such as the Winnipeg Police

Service, the Brandon Police Service and the RCMP. The initiative will be completed in stages with operational improvements occurring in each stage.

### 1 (e) Computer Services

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 908 | 11.00 | 1,204 | (296) | 1 |
| Total Other Expenditures | 485 | | 572 | (87) | 2 |
| Recoverable from Part B – Capital | 0 | | (328) | 328 | 3 |

**Explanations:**

1. *Savings from vacant positions and salaries of in-house staff dedicated to implementation of the Integrated Justice System were not charged to the capital project*
2. *Surpluses in software upgrade, hardware maintenance, staff training and conferences and consulting budgets*
3. *No recovery of salaries for staff dedicated to the Integrated Justice System*

# Criminal Justice

The criminal justice appropriation (04-2) finances two divisions within Manitoba Justice: the Criminal Justice Division and the Manitoba Prosecutions Service. The appropriation also funds the Office of the Chief Medical Examiner.

## Administration

The office of the Assistant Deputy Minister, Criminal Justice Division, provides executive direction and administrative support to all programs, branches and agencies of the Criminal Justice Division. This does not, however, include the Manitoba Prosecutions Service or the Office of the Chief Medical Examiner.

The Assistant Deputy Attorney General office is responsible for Manitoba Prosecution Service and its six offices across Manitoba. The office is supported with administrative and financial analysis requirements by the Director of Business Operations for Manitoba Prosecution Service.

## Manitoba Prosecutions Service

Manitoba Prosecutions Service is responsible for the prosecution of criminal and provincial offences in Manitoba as well as the conduct of inquests called by the Chief Medical Examiner. These offences include alleged provincial statute breaches, *Criminal Code* and some federal charges, as well as prosecutions under the *Youth Criminal Justice Act*. Crown attorneys also review police reports and provide advice to police on the appropriate criminal charges, investigations, and procedures. In addition, Crown attorneys provide lectures and seminars to the police, investigative agencies, and the general public on justice issues. Each year, the division hires articling students and provides a year of training and practical experience in the prosecution of offences under provincial Acts and the Criminal Code.

Led by an assistant deputy attorney general (ADAG), the Manitoba Prosecution Service has a total of 295.3 staff FTEs (of which 15 were added in 2014/2015 to address workload issues). The total staff complement includes 6 management/legal positions (including the ADAG), 171 legal positions (including articling law students) and 117.3 professional/administrative support staff positions (including the director of business operations).

The division is organized into six branches.

**Winnipeg Prosecutions**

The General Prosecution Units (GPU) of Winnipeg Prosecution Service prosecute all preliminary hearings and trials in Winnipeg which are not the responsibility of one of the specialized units. Led by the Director of Winnipeg Prosecutions they are responsible for files that are not resolved during the intake process most often through referral to community based programs.

In addition to the General Prosecution Units the Community Prosecutor, Stolen Auto and Youth Court Units report to the Director of Winnipeg Prosecution. The GPU are also responsible for the Mental Health Court as well as the Drug Treatment court.

**Regional Prosecutions**

Regional Prosecution offices are based in Brandon, Dauphin, Portage la Prairie, The Pas, and Thompson. Regional Crown attorneys prosecute all adult and youth offences arising from the geographic regional court jurisdictional areas. In conjunction with lawyers from Winnipeg, prosecutions are conducted in circuit points in 58 communities throughout Manitoba.

**Education and Appeals**

The Education and Appeals division of Manitoba Prosecution Service provides continuing legal education programs to ensure all Crown Attorneys receive the necessary training and updated legal education in order to

enable them to fulfil their roles as prosecutors. Articling students and lawyers in the early stages of their Manitoba Prosecution Service careers receive additional training and support through a specialized Training and Development Unit. The branch is also responsible for the review and conduct of appeals to the Manitoba Court of Appeal and Supreme Court of Canada.

**Information Management, Disclosure and Intake Unit**

The Director of Prosecution Information Management is responsible for PRISM (Prosecutions Scheduling and Management System), technological needs and requirements, and all areas related to disclosure requirements mandated in Canada. The Director is responsible for the Intake Unit and Paralegal Unit in Manitoba Prosecution Service In addition, General Counsel responsible for prosecuting many of the highest profile cases in the Province report to the Director.

**Specialized Prosecutions**

The Specialized Prosecution Division is comprised of Crown attorneys who work in a number of units with specific expertise in prosecuting designated areas with Manitoba Prosecution Service. These Units report to the Director of Specialized Prosecutions. The Units include the Domestic Violence Unit (DVU), which prosecutes cases of spousal, elder and child abuse as well as sexual offences involving children; Commercial Crime; Provincial Statute; Criminal Organization and High Risk Offender Units. The Director is also responsible for Crown Attorneys responsible for Review Board matters where accused may have been found to be not criminally responsible offenders or unfit to stand trial by reason of mental disorders.

**Business Operations**

The Business Operations Branch manages the division's finances, facilities, the Central File Registry, technological hardware as well as general administration. The vast majority of the Divisions support staff ultimately report to the Director of Business Operations.

**Workload**

The number of files (including charges laid and requests for Crown opinions) opened in Prosecutions over the past five years is as follows:

- 49,365 in 2010/2011
- 50,246 in 2011/2012
- 53,369 in 2012/2013
- 53,391 in 2013/2014
- 50,369 in 2014/2015

**New Initiatives**

There are ongoing and productive discussions with the RCMP and the Winnipeg Police Service to speed disclosure and move toward increased electronic disclosure in the system. A new Intensive Case Assessment Process is in the process of being implemented to improve the overall velocity of cases as they progress through the criminal justice system.

## 2 (a) Manitoba Prosecutions Service

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 26,324 | 295.30 | 29,636 | (3,312) | 1 |
| Total Other Expenditures | 4,747 | | 4,314 | 433 | 2 |
| Total Witness Programs | 1,369 | | 806 | 563 | 3 |

**Explanations:**

*1. Primarily vacant and under filled positions partly due to recruitment difficulties and retirements*

2. *Crown circuit court travel, outside counsel and an increase in general operating expenses including records management, communications, printing, insurance and courier costs*
3. *Court and police transcription fees volume and increased operating costs for witnesses*

## Office of the Chief Medical Examiner

The Office of the Chief Medical Examiner (OCME), under the authority of *The Fatality Inquiries Act* (FIA), investigates all violent, traumatic, unexplained, unexpected and suspicious deaths in Manitoba, including the deaths of all children and residents of personal care homes and developmental centres. The OCME determines the cause and manner of death for all reportable cases and attempts to identify situations of risk.

Under the FIA, certain deaths require mandatory inquests. The purpose of an inquest, held by a provincial judge, is to make recommendations that may prevent future deaths under similar circumstances. Whether or not an inquest is called, the Chief Medical Examiner (CME) can make recommendations to the minister, government departments or agencies and others with respect to precautions or measures to prevent other similar deaths. The OCME also handles all reports of unclaimed bodies in Manitoba under *The Anatomy Act*.

The Minister of Justice, upon the recommendation of the CME, appoints Manitoba physicians as medical examiners. They have authority under the FIA to authorize autopsies and recommend inquests as necessary. There are 13 active fee-for-service medical examiners in Manitoba, 8 of who are located in Winnipeg.

The OCME has 13 employees, including seven full-time death investigators, and an additional position for the Deputy Chief Medical Examiner. During 2014/2015, a total of 6,347 deaths were reported to the OCME. The office investigated and certified 1,560 of these deaths, conducted 4,787 inquiries, ordered 1,093 autopsies and called seven inquests. The office handled 104 reports of unclaimed bodies. Approximately 3,500 requests for information are received annually. The CME collaborates with foreign universities to provide specialized training to physicians taking post-doctoral studies in forensic pathology.

The OCME submits a report annually to the Minister of Justice on deaths of persons while in custody, deaths of involuntary residents of psychiatric facilities, and deaths of residents of developmental centres. The OCME also submits an annual report to the Minister of Health on the disposition of unclaimed bodies. In addition, the OCME publishes an annual report for the general public which provides a detailed statistical caseload review for the year. To obtain a copy of the OCME annual statistical report, please contact the office at 204-945-2088 or toll free at 1-800-282-8069.

### 2 (b) Office of the Chief Medical Examiner

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 1,106 | 13.00 | 1,184 | (78) | |
| Total Other Expenditures | 2,868 | | 2,799 | 69 | |

# Civil Litigation & Advisory Services

The civil law appropriation (04-3) is comprised of the Manitoba Human Rights Commission, Legal Aid Manitoba, the Family Law Branch, the Constitutional Law Branch and Civil Legal Services, and a grant to the Manitoba Law Reform Commission. Legislative Counsel, albeit a separate division of the department, is also a part of the civil law appropriation.

The office of the Assistant Deputy Minister, Civil Litigation & Advisory Services, provides executive direction and administrative support to all programs, branches and agencies of the Civil Litigation & Advisory Services Division. Manitoba Justice's special operating agency – The Public Guardian and Trustee – is also discussed in this section.

## Manitoba Human Rights Commission

The Manitoba Human Rights Commission is an independent agency of the Manitoba government. It has a mandate, under *The Human Rights Code*, to address unreasonable discrimination and to promote equality of opportunity. The Commission enforces the provisions of *The Human Rights Code,* promotes human rights and develops and delivers human rights education programs throughout Manitoba.

The Commission accepts, investigates and mediates human rights complaints. A board of 10 commissioners, appointed by the Lieutenant-Governor in Council, establishes policies and determines whether complaints will proceed to adjudication. Commission offices are located in Winnipeg, The Pas and Brandon.

The Commission received approximately 4,300 inquiries from the public during the 2014 calendar year. A total of 294 complaints were registered and 255 complaints were dealt with by the Commission, either through resolution using mediation, being withdrawn or abandoned, being dismissed, or being sent forward to adjudication. In addition to the 12 complaints forwarded to an independent adjudicator, four adjudication decisions were released during the year.

The Commission notes that complaints of discrimination based on physical and mental disability continued to be the largest area of complaint, at 44 per cent.

Approximately 590 people attended Commission education seminars regarding various relevant human rights topics. The educational seminars took a proactive approach, providing knowledge of rights and responsibilities and equipping participants to be aware of, and appropriately deal with, human rights issues. In addition, community outreach presentations about human rights protections and the commission were delivered to approximately 2,500 people. Youth conferences were also held in Winnipeg and Shilo, Manitoba. The youth conferences engaged youth from many schools, teaching them about human rights and encouraging them to put their knowledge into action at their schools and in their broader community.

In response to a growing number of complaints and inquiries regarding service animals, the Commission undertook a special project in 2014, holding a total of three public consultations groups (two in Winnipeg and one in Brandon) to discuss the emerging issues related to the use of service animals. Over 100 people participated in the consultation process.

A resolution of note includes a mediation which resulted in a systemic resolution to change the application of a zoning by-law which prevented individuals with disabilities from residing in a shift-staffed home within a community. The rural municipality agreed to bring forward a proposed amendment to the residential by-law and until then interpret their bylaws in a non-discriminatory way so as to allow individuals with disabilities to reside in a house in the community like anybody else.

Also of note was a December 2014, adjudication decision regarding a female employee who was sexually harassed in her workplace by the owner of the business. The decision confirmed that the employee did not have to object to the harassment at the time it occurred because the owner ought reasonably to have known that his sexual solicitations and conduct were unwelcome. In addition to awarding compensation for lost wages because she was forced to leave her job because of the harassment, the adjudicator awarded the employee $15,000 a

compensation for injury to her dignity, feelings and self respect, recognizing the seriousness of the harassment in this case and the power imbalance between the parties.

More detailed information on the activities of the Manitoba Human Rights Commission is available in its separate annual report which is available on the Commission's bilingual website at www.manitobahumanrights.ca.

### 3 (a) Manitoba Human Rights Commission

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 1,689 | 21.00 | 1,715 | (26) | |
| Total Other Expenditures | 511 | | 462 | 49 | 1 |

**Explanation:**
*1. Desktop shortfall and increased Court reporter fees*

## Legislative Counsel

The Legislative Counsel Office prepares all Manitoba bills and regulations in English and French, as well as consolidations of current acts and regulations. It also publishes the laws on the Manitoba Laws website. The division's two branches, Legislative Counsel and Legal Translation, are headed by the Legislative Counsel, who is an assistant deputy minister and also the law officer of the Legislative Assembly.

**Legislative Counsel Branch**

In addition to drafting all government bills and regulations, as well as some orders in council, this branch provides legal advice to all government departments on drafting bills and regulations. It also prepares final texts of all laws for publication in print and on the Manitoba Laws website.

The branch also provides services to the Legislative Assembly. It provides advice to the Speaker and the Clerk of the Assembly on various matters, and drafts bills, and motions to amend bills, for private members. It also publishes bills on the Legislative Assembly website.

**Legal Translation Branch**

The Legal Translation Branch provides the French version of all bills, acts and regulations, as well as rules of procedure for courts and administrative tribunals. The branch also ensures all documents needed in the Legislative Assembly are available in English and French. This includes preparation of the French version of the orders of the day, votes and proceedings of the Assembly, and rulings of the Speaker.

In the session of the Legislature that ended on November 20, 2014, 76 government bills, 14 private members' bills and one private bill (comprising, in total, nearly 1,527 pages) were introduced in the Legislative Assembly. All of these bills were drafted and translated by the Legislative Counsel Office.

Approximately 290 regulations were registered during 2014/2015. With the exception of a few made by farm products marketing boards, those regulations were drafted and translated by the Legislative Counsel Office.

### 3 (b) Legislative Counsel

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 2,312 | 21.00 | 2,536 | (224) | 1 |
| Total Other Expenditures | 413 | | 372 | 41 | 2 |

**Explanations:**
*1. Savings associated with vacant and underfilled positions*
*2. Shortfall related to professional fees*

## Manitoba Law Reform Commission

The Manitoba Law Reform Commission (MLRC) is an independent law reform agency established by *The Law Reform Commission Act.* The commission issues reports with recommendations for the modernization and improvement of provincial laws. The commission began operations in 1971.

The commission currently has seven members appointed by the Lieutenant-Governor in Council and is funded through grants from Manitoba Justice and the Manitoba Law Foundation.

In 2014-2015, the MLRC released one final report, *Reporting under Section 157 of The Highway Traffic Act*, one consultation report, *Consultation Paper on Manitoba's Environmental Assessment and Licensing Regime under The Environment Act* and one Issue Paper, *Assisted Reproduction: Legal Parentage and Birth Registration.*

The commission is currently engaged in the following projects: Manitoba's environmental assessment and licensing regime; a review of the remedial provisions of *The Municipal Council Conflict of Interest Act*; a review of *The Presumption of Death Act*; and a project concerning access to justice issues in Manitoba.

In accordance with *The Public Sector Compensation Disclosure Act*, the members of the Law Reform Commission received $54,310.62 in compensation in the aggregate and there were no members that individually received compensation of $50,000 or more annually.

Additional information on the Manitoba Law Reform Commission, including all reports, informal reports, issue papers and annual reports are available at www.manitobalawreform.ca.

**3 (c) Grant to Manitoba Law Reform Commission**

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Grant | 85 | | 85 | 0 | |

## Family Law

As part of the departmental re-organization that created the Civil Law Division, Family Law Branch was amalgamated with Constitutional Law Branch and Civil Legal Services to form one legal services branch. As part of the transition, this branch became the Family Law Section of the Legal Services Branch. During the 2014/2015 fiscal year, the three former branches worked to integrate their administrative functions and collaborated to develop an integrated approach to the delivery of civil law services to government. The legal work of the Family Law Section is substantially unchanged.

The Family Law Section provides ongoing family law legal services and advice to a number of government departments and programs, including the Maintenance Enforcement Program, Family Conciliation, the Director of Child and Family Support and three regional child protection agencies, Employment and Income Assistance and the Vital Statistics Agency. The section develops family law policy, programs and legislative initiatives at the provincial level; and through the Co-ordinating Committee of Senior Officials (CCSO) – Family Justice, the Family Law Section also plays an active role at the national level. The section also works to increase awareness of family law initiatives and issues for the general public, the legal profession and law students.

Counsel provides Crown opinions/charging authorization in appropriate cases to law enforcement officials throughout Manitoba in parental child abduction cases. Counsel also deal with international child abduction situations falling under The Hague *Convention on the Civil Aspects of International Child Abduction*. The section also handles government responsibilities under *The Inter-jurisdictional Support Orders Act*.

The following are examples of some section activities during 2014/2015:

- continued conduct of regular maintenance enforcement show cause hearings, including participation in the operation of the auto-order system at Winnipeg dockets

- continued conduct of video maintenance enforcement show cause dockets from Thompson, The Pas and Dauphin
- continued work with Family Conciliation, providing comprehensive co-mediation services to parents and assisting with other Family Conciliation initiatives such as *First Choice* and grandparent support
- assisted the Child Support Recalculation Service ("CSRS") by conducting recalculations for cases where CSRS staff counsel and contract counsel were unable to act due to a conflict of interest
- undertook stakeholder consultations and acted as instructing legal officer in development of a major family law reform bill
- continued work with federal, provincial and international officials to review the international convention on maintenance obligations, including acting as provincial co-chair (legal) of the CCSO - Family Justice Working Group that has completed a written analysis of the convention's compatibility with Canadian common laws and is assessing the operational and cost implications involved with implementation of this new international instrument
- continued active federal-provincial-territorial (FPT) work through CCSO - Family Justice by participating at the main table and on numerous working groups
- provided training for Child Abuse Committees
- participated in training and information sessions respecting *The Domestic Violence and Stalking Act* for protection order designates
- presented on inter-jurisdictional support and custody/access/parental child abduction issues to students at University of Manitoba, Faculty of Law
- developed and presented training/information materials respecting matrimonial property on reserve for justices of the peace, aboriginal court workers and First Nations representatives
- reviewed and updated portions of the CPLED (Bar Admissions course) family law materials
- continued to receive and respond to a volume of family law-related inquiries from members of the public for general family law information
- assisted manitobaparentzone.ca (a web page developed by Family Services) by providing responses to family law-related questions received through their Ask an Expert forum
- assisted with funding proposal and participated on steering committee for *Simplified Family Justice* pilot project
- participated on the Standard Clauses Sub-Committee to review and revise existing standard clauses and develop new ones and on the Queen's Bench Joint Committee and Child Protection Sub-Committee
- participated on the Family Law Working Group of the Access Stakeholders Committee and the Judicial Family Law Access to Justice Committee
- assisted with the development of Court of Queen's Bench Rules amendments respecting case management, matrimonial property on reserve and divorces under the *Civil Marriage Act*

The section consists of one section head, ten Crown counsel and four support staff.

**3 (d) Family Law**

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 1,884 | 15.00 | 2,008 | (124) | |
| Total Other Expenditures | 192 | | 163 | 29 | 1 |

**Explanation:**
*1. Shortfall associated with desktop costs, software maintenance costs and increased membership fees.*

## Constitutional Law

As part of the departmental re-organization that created the Civil Law Division, Constitutional Law Branch was amalgamated with Family Law Branch and Civil Legal Services to form one legal services branch. As part of the transition, this branch became the Constitutional Law Section of the Legal Services Branch. During the 2014/2015 fiscal year, the three former branches worked to integrate their administrative functions and collaborated to develop an integrated approach to the delivery of civil law services to government. The legal work of the Constitutional Law Section is substantially unchanged.

The Constitutional Law Section provides the provincial government with efficient, cost-effective legal services on constitutional matters.

Constitutional Law counsel provides advice to government departments on constitutional issues when drafting programs and legislation. They also provide advice on language rights, Aboriginal and treaty rights, Aboriginal title claims, Aboriginal consultation requirements and constitutional issues of national concern.

Counsel defends government programs and legislation before the courts in response to constitutional challenges in civil and criminal cases. In 2014/2015, the section received 172 notices of constitutional question challenging various statutes. 38 notices involved criminal cases while 134 notices related to constitutional challenges in civil claims against the provincial government.

During 2014/2015, Constitutional Law counsel appeared in all levels of court in Manitoba and in the Supreme Court of Canada on a variety of constitutional cases including dealing with such issues as provincial jurisdiction to manage Crown resources, the constitutionality of provincial administrative schemes to address traffic safety, assessing damages for breaches of the constitution and provincial taxation authority. Counsel also provided assistance to Prosecutions regarding constitutional issues raised in criminal cases including the constitutionality of minimum sentences for firearms offences, issues related to statutory defences, admissibility of evidence, disclosure obligations and arbitrary detentions.

The section consists of one section head, six Crown counsel and two support staff.

### 3 (e) Constitutional Law

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 865 | 9.00 | 1,283 | (418) | 1 |
| Total Other Expenditures | 265 | | 284 | (19) | |

**Explanation:**
*1. Savings associated with vacant and under filled positions*

## Legal Aid Manitoba

Legal Aid Manitoba (LAM) is an independent agency of the provincial government established by *The Legal Aid Manitoba Act*. The agency is managed by a management council consisting of at least seven but no more than nine members appointed by the Lieutenant-Governor in Council.

LAM provides three types of services: drop-in advice and information, formal representation and duty counsel. Formal representation is limited to serious criminal matters, serious immigration matters and many family matters; moreover, it is provided to individuals who meet financial eligibility guidelines. Duty counsel provides early stage legal representation for individuals who qualify financially, who are in custody or have been arrested or charged with an offence. LAM also has a number of special programs such as the Public Interest Law Centre and the University of Manitoba Law Clinic, as well as poverty law, northern paralegal and other outreach programs.

Highlights of agency accomplishments in 2014/15 included the following:

- LAM is continuing its migration towards a paperless office. The new PBOnline system was rolled out on April 1, 2014. Members of the private bar review and accept certificates electronically and apply for file authorizations and disbursements through the system. Design is underway for on-line billing system. Preliminary work is also being performed on a document management system for LAM's community law offices. LAM has seen significant reductions in the turnaround time for application processing, in certificate acceptance by both staff and private bar, and realized cost savings in paper purchases and postage.

- A new web-based electronic LAM application was developed and is currently being field-tested by staff in Winnipeg. The e-application interfaces with LAM's application processing system, LAMAS. Early results show time saved in manually transcribing paper applications into LAMAS, greater accuracy, better data collection since the entire application can be used for statistical and other analysis. Deployment to all staff as well as private bar is expected to occur during 2015/16. Development is also underway for an off-line version of the e-application for use in locations where Internet access is limited or non-existent.
- LAM continues to work with other stakeholders in the justice system on access to justice issues.

In 2014/2015, 31,322 people applied for legal aid. Of those, 27,142 were issued a legal aid certificate and represented by either a staff or private bar lawyer. In addition, 11,826 people were provided with informal advice and information and 47,965 were assisted by duty counsel. In all, the total number of people assisted during the year was 86,933.

More information on Legal Aid Manitoba, including its annual report, is available online at www.legalaid.mb.ca.

**3 (f) Legal Aid Manitoba**

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 15,213 | | 16,556 | (1,343) | 1 |
| Total Other Expenditures | 15,650 | | 14,540 | 1,110 | 1 |

**Explanation**:
*1. Savings from vacant positions offset by an increase in case volume and negotiated employee non-salary benefits*

*Note: All staff positions assigned to Legal Aid are excluded from the departmental full time equivalent position count due to their crown corporation status.*

## Civil Legal Services

Civil Legal Services functions as the law firm to the provincial government. It provides legal services to all government departments, agencies, boards, commissions, committees and government corporations that do not have their own legal counsel. The role of Civil Legal Services flows from the constitutional and statutory responsibilities of the Attorney General as the chief legal advisor to government and the guardian of the public interest.

Civil Legal Services was designated as a provincial government special operating agency (SOA) on April 1, 1995 and operated as an SOA until March 31, 2014 when this designation was revoked. Effective April 1, 2014, Civil Legal Services became a branch of the department and with the departmental re-organization that created the Civil Litigation & Advisory Services Division. The legal work of Civil Legal Services is substantially unchanged. Civil Legal Services continues to recover costs for its operations from its clients and retained most features of being an SOA particularly as they relate to service delivery.

Civil Legal Services (CLS) provides a full range of legal services in the following areas:

- Aboriginal Law
- Access to Information and Privacy Law
- Administrative Law
- Civil Litigation
- Constitutional Law
    - assisting the Constitutional Law section in some cases involving the application of the *Canadian Charter of Rights and Freedoms* and in constitutional issues relating to Aboriginal peoples
    - providing advice on the constitutional division of powers and taxation issues
- Contracts and Agreements

- Conveyancing
- Corporate and Commercial
- Information Technology
- International Law
- Legal Opinions
- Legislative Review and Policy Development (which occasionally includes drafting legislation)
- Training and Education

CLS's mission is to provide timely, high quality, helpful, efficient and cost-effective legal services that meet the needs of its clients. Its mission and goals are supported by the following operating principles:

- service is customer focused;
- service is cost-effective;
- a commitment to the highest standards of service.

Factors critical to the success of CLS are:

- providing timely, high quality, helpful, efficient, cost-effective legal services that meet the needs of its clients;
- determining its effectiveness in meeting its clients' needs;
- identifying better ways to meet its clients' needs for legal services;
- improving communication between CLS and its clients and communication within CLS;
- improving job satisfaction; and
- developing means to assist staff to work as effectively as possible to satisfy changing client needs and to make adjustments to deal with increasing workloads, deadlines and the pressure of limited resources.

In fiscal year 2014/15, clients were billed at the rate of $171.00 per hour for services provided by CLS counsel, being the amount required to cover all of CLS's costs and break even. All of CLS's costs are covered by this hourly rate, including wages, operating expenses (including rent) and employee benefits (including pension benefits).

CLS provides most, but not all, civil legal services to government and its agencies. In appropriate circumstances, at the request of a client, outside counsel is retained by the Department of Justice, through CLS.

As of March 31, 2015, CLS staff consisted of 1 director, 39 legal counsel, 1 administrative officer, 20 administrative assistants, 1 financial officer, 1 accounting clerk and 2 articling students.

### 3 (g) Civil Legal Services

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 7,138 | 65.00 | 7,711 | (573) | |
| Total Other Expenditures | 855 | | 970 | (115) | 1 |
| Recoverable from Other Appropriations | (8,206) | | (8,681) | 475 | |

**Explanation**:
*1. Savings from lower than expected general operating expenditures*

## The Public Guardian & Trustee

The Public Trustee provides trustee services for a fee to the people of Manitoba in situations where no one else is capable or willing to do so. The Public Trustee provides the following types of trustee services:

- administering estates and making personal decisions for people who are not mentally capable of doing so
- administering the estates of mentally competent people who have granted a power of attorney to the Public Trustee
- administering the estates of people who have died in Manitoba with no one else capable or willing to act as administrator
- administering trust monies for people under 18
- administering some adult trusts

While the Public Trustee commenced operation as a provincial government special operating agency (SOA) on April 1, 1996, it remains a branch within Manitoba Justice. Detailed information on the Public Trustee can be found in the agency's annual report. This report is available online at www.gov.mb.ca/justice/publictrustee/.

# Community Safety

As the largest division of the department, community safety contributes to the protection of society by: administering sentences imposed by the courts, the humane care, control and reintegration of offenders into society, working with community agencies, government departments and other levels of government to support crime prevention, intervention and suppression activities and policies, and the encouragement of active community participation in achieving these objectives.

The community safety appropriation (04-4) is comprised of eleven sub-appropriations: Corporate Services, Adult Corrections, Youth Corrections, Provincial Policing, Aboriginal and Community Law Enforcement, Victim Services, Compensation for Victims of Crime, Law Enforcement Review Agency, Criminal Property Forfeiture, Manitoba Police Commission, and Independent Investigation Unit.

During 2014/15, the community safety division experienced a slight increase in the adult custody population. From 2013/14 to 2014/15, the average adult custody population increased by 0.7 per cent and the four year cumulative increase from 2010/11 to 2014/15 was 18.2 per cent. While the division experienced an 8.9 per cent decrease in the average youth custody population from 2013/14 to 2014/15, the four year cumulative trend from 2010/11 to 2014/15 was a decrease of 12.6 per cent. In order to continue to manage adult offender populations, the government has committed to replacing the old correctional facility in Dauphin with a new facility.

Highlights of divisional activities and initiatives in 2014/15 included the following:

- The division continued to operate the Winnipeg Auto Theft Suppression Strategy (WATSS) in 2014/15 in collaboration with Manitoba Public Insurance, the Winnipeg Police Service and the Manitoba Prosecutions Service. This program seeks to turn offenders away from auto theft crime with a community-based intervention strategy. Supervision increases significantly as young offenders enter the high and very-high-risk groups. Through the collaborative efforts of WATSS, auto theft has been reduced by 83 per cent in Winnipeg since 2004. The WATSS has been expanded to include adult offenders who are subject to similar program expectations as the youth.

- A gang suppression and prevention initiative called 'Spotlight' continued to operate in 2014/15. This program is designed to combine close supervision and swift consequences with collaborative community services to help youth deal with substance abuse, stay in school or find a job. These programs are part of the three-pronged approach to reducing youth gang activity in the province through prevention, intervention and suppression initiatives.

- The Division continued to operate the Gang Response and Suppression Program (GRASP) in 2014/15. GRASP is an integrated initiative aimed at gang violence that brings together police, prosecutions and probation to coordinate an intensive community risk management plan. GRASP currently has capacity for 100 offenders in the program.

- The planning process to replace the correctional centre in Dauphin with a new facility is underway.

- A partnership was continued with Nova Scotia to implement the ongoing pilot electronic monitoring program for up to 20 high-risk auto theft offenders. This pilot project is testing the use of electronic monitoring technology to provide GPS surveillance of young offenders charged with auto theft in Winnipeg. The pilot project was expanded to include adult domestic violence cases.

- Manitoba Corrections continued moving forward with the development and implementation of a Case Management Model. The Model applies a standard of case management service delivery in community corrections and correctional centers across the province. Integral to the principles of the model is the notion of integrated service delivery while ensuring offenders seamlessly transition between case managers by utilizing similar risk assessment tools, intervention skills, and methods, all of which are evidence-based and grounded in the "What Works" literature.

- The division continued an agreement with the John Howard Society to provide a bail assessment and supervision program for up to 75 male offenders and a residential bail program for up to 26 male offenders.

- In an effort to better understand and effectively deal with youth with complex needs, Youth Corrections trained staff at the Manitoba Youth Centre and Agassiz Youth Centre in Trauma Informed Care, Fetal Alcohol Spectrum Disorder (FASD) and Responsible Ability Pathways (RAP).

- The division developed a Culturally Appropriate Program (CAP) that will be utilized by the entire province. CAP is a holistic program that promotes balance, self awareness, and personal development. CAP incorporates the Medicine Wheel as its framework to assist in learning the pre-contact history of the indigenous peoples, the impacts of contact with another culture, their current conditions as a result of colonization, and learning to heal from these impacts so they can move forward to be healthy individuals. CAP addresses the underlying causes of mental health issues such as intergenerational impacts, substance abuse, violence, depression, anxiety, and suicidal behavior. CAP is designed to address issues of criminal activity, victimization, and perpetration by integrating traditional worldviews such as equality and harmony. CAP can be used with male and female youth, and addresses gender differences.

## Corporate Services

The Corporate Services Branch provides leadership to the division in co-ordinating the integration of services to all branches as well as strategic policy development, budget analysis and control, capital planning and review, information system development and maintenance, co-ordination of chaplaincy and medical services, internal investigations, operational reviews and audits, training, program development, research and Aboriginal service development.

During 2014/15, the training component of the Corporate Services Branch was responsible for training 229 new correctional officers for adult and youth custody facilities.

**4 (a) Corporate Services**

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 3,126 | 33.00 | 3,664 | (538) | 1 |
| Total Other Expenditures | 880 | | 736 | 144 | 1 |

**Explanation:**
*1. Savings from vacancies offset by higher than expected training and supplies and services costs*

## Adult Corrections

The Adult Corrections Branch manages adult offenders sentenced to less than two years[2] and remanded adult offenders. The branch also supports community justice measures and case manages offenders in the community and in custody.

The branch is responsible for the care and custody of adult offenders sentenced to prison for up to two years less a day, or detained in custody while waiting for a court disposition (which is known as remand custody). It also provides services for offenders in custody to help them reintegrate into society. The branch operates seven correctional institutions: Milner Ridge Correctional Centre, Women's Correctional Centre, The Pas Correctional Centre, Brandon Correctional Centre, Dauphin Correctional Centre, Headingley Correctional Centre and the Winnipeg Remand Centre.

Branch staff manages court orders involving offender supervision/intervention in the community and preparing court reports. Offender supervision in the community involves probation orders, conditional sentence orders and peace bond orders. The work consists of risk assessments, case planning, focussed interventions and referrals to community agencies as well as compliance management. Some regions supervise community service orders

[2] Offenders sentenced to two years or more in custody become the responsibility of the federal government (Correctional Service of Canada).

and fine option programs. Community corrections offices for adult offenders serving their sentences in the community are located in Winnipeg and all rural centres across Manitoba.

The following are highlights of program volumes in 2014/15:

- The average monthly adult probation and conditional sentence supervision caseload size in 2014/15 decreased to 7,516 from 7,817 from the previous year.
- The average daily adult custody population in Manitoba increased in 2014/15 to 2,387 from 2,370 the previous year.

**4 (b) Adult Corrections**

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 167,859 | 1,549.60 | 161,513 | 6,346 | 1 |
| Total Other Expenditures | 22,898 | | 24,845 | (1,947) | 2 |
| Total Programs and External Agencies | 2,714 | | 2,898 | (184) | |
| Total Recoveries from Other Appropriations | (4) | | (5) | 1 | |

**Explanations:**

1. *Significant additional staff requirements as a result of the high adult custody population and retirement severance and vacation payments*
2. *Overall reduction in operating expenditures not related to inmate volume such as training, travel, vehicle maintenance minor capital and office supplies*

## Youth Corrections

The Youth Corrections Branch is responsible for the continuum of services for youth involved with the law. The branch is directly responsible for the two youth facilities (Manitoba Youth Centre and Agassiz Youth Centre), probation services in Winnipeg, and policy direction throughout Manitoba on all other youth justice matters.

Branch staff manages court orders involving youth, prepare court reports, and provide community justice as an alternative to the formal court process. Offender supervision in the community also involves new supervision orders under the *Youth Criminal Justice Act*. The branch is also responsible for community service orders, fine option, the Intensive Support and Supervision Program, the Youth Bail Management Program and behaviour intervention programs. Community justice approaches include mediation, conferences, forums and community justice committees. Community corrections offices, which provide support for young offenders serving their sentences in the community as well as young people who have been referred to community justice, are located in Winnipeg and a number of rural centres across Manitoba.

The Youth Corrections Branch is also responsible for the delegated authority of the provincial director under the *Youth Criminal Justice Act*. This involves a series of responsibilities, including issuing warrants, suspensions and changing levels of custody.

The following are highlights of program volumes in 2014/15:

- The average youth probation supervision caseload size in 2014/15 decreased to 1,402 from 1,541 the previous year.
- There were 46 justice committees operating across the province during 2014/15 and more than 200 volunteer committee members administered community justice (extra-judicial) measures and provided crime prevention and community education services in their communities[3].
- The average daily youth custody population in Manitoba decreased to 235 in 2014/15 from 257 the previous year.

[3] In addition to the youth justice committees, the Youth Corrections Branch has other volunteers assisting in delivering correctional services in the community and in youth custody facilities. These activities include tutoring, bail supervision and other services.

**4 (c) Youth Corrections**

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 43,597 | 454.50 | 44,580 | (983) | 1 |
| Total Other Expenditures | 3,957 | | 4,821 | (864) | 2 |
| Total Programs and External Agencies | 190 | | 242 | (52) | 3 |

**Explanations:**

1. *Savings from vacancy and under-fills of budgeted positions and retirements*
2. *Primarily surpluses associated with youth custody and youth community services supplies, professional fees, training and rental costs*
3. *Savings in youth programs associated with client volumes*

## Provincial Policing

This sub-appropriation funds the Royal Canadian Mounted Police (RCMP) for provincial policing in Manitoba under the authority of *The Police Services Act*. RCMP services are provided under contract through the *Provincial Police Service Agreement* (PPSA). The RCMP also provides police services to the majority of the province's larger municipalities under municipal police service agreements negotiated directly between the municipalities and the federal government. Through 86 rural and 22 municipal detachments across the province, the RCMP enforces federal and provincial statutes and municipal by-laws and administers crime prevention programs in rural municipalities, cities, towns, villages, First Nations communities and local government districts that do not provide their own police services.

First Nations policing in Manitoba is funded under this sub-appropriation. Currently, 14 of 63 First Nations communities in Manitoba have Community Tripartite Agreements for police services. Canada and Manitoba share costs for the agreements through an established cost-sharing formula: 52 per cent from Canada and 48 per cent from Manitoba. The Dakota Ojibway Police Service (DOPS), a stand-alone Aboriginal police service, polices six First Nations communities: Birdtail Sioux, Canupawakpa, Sioux Valley, Sandy Bay, Roseau River and Waywayseecappo. The RCMP, under the First Nations Community Policing Service (FNCPS), polices eight First Nations communities: Chemawawin, Swan Lake, Opaskwayak, Nisichawayasihk, Peguis, Poplar River, Bloodvein and Buffalo Point. The Aboriginal Community Constable Program (ACCP) receives funding under this sub-appropriation as well. The ACCP funds specific RCMP members working in First Nations communities that do not have policing agreements with either the Manitoba government or the federal government. These members are cost shared 46 per cent from Canada and 54 per cent from Manitoba. Future expansion of First Nations policing in Manitoba is contingent on availability of federal funding.

DNA testing, the Manitoba Integrated Organized Crime Task Force, the Missing and Murdered Women's Task Force (Project Devote), the Integrated Warrant Enforcement Unit, the Auxiliary Constable Program, as well as funding support for some municipal police services are all supported with funds under this sub-appropriation.

**4 (d) Provincial Policing**

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Other Expenditures | 128,910 | | 129,483 | (573) | |
| Recoverable from Rural Economic Development Initiative (REDI) | (2,000) | | (2,150) | 150 | |

## Aboriginal and Community Law Enforcement

The Aboriginal and Community Law Enforcement branch co-ordinates and administers the Manitoba government's law enforcement objectives, priorities, programs and policies, the government's contracts with the RCMP, municipal and Aboriginal police services, and the licensing of the private investigator and security guard industry. The branch negotiates and implements all policing agreements within Manitoba on behalf of the government, and represents the department in law enforcement forums at national and international levels. The department's High Risk Witness Management Program and the Public Safety Investigations Unit are also managed by the branch.

**Private Investigators and Security Guards Program**

Aboriginal and Community Law Enforcement is responsible for administration of *The Private Investigators and Security Guards Act.* Under the Act the registrar issues licenses to employers of security guards and private investigators, as well as the individual security guards and private investigators themselves. These licenses are issued according to requirements set out by the provisions of the Act and its regulation.

During 2014/2015, the Private Investigators and Security Guards Program issued 31 licenses to businesses to provide security guards, 32 licenses to businesses to provide private investigators, and registered 14 new in-house employers of security guards. As of April 1, 2015, a total of 126 employers were registered to employ security guards in-house.

During this same period, the program issued 5,020 licenses to individuals to act as security guards and 169 licenses to individuals to act as private investigators.

**Manitoba Security Guard Training Program Administration**

The branch is also responsible for ensuring that mandatory training requirements for private security guards are satisfied. During 2014/2015, the Private Investigators and Security Guards Program administered approximately 1,073 individual security guard training exams.

**Public Safety Investigations**

Aboriginal and Community Law Enforcement includes a special unit that investigates complaints and conducts inspections under *The Safer Communities and Neighbourhoods Act* and *The Fortified Buildings Act*. These Acts target properties that affect the safety and security of neighbourhoods in various ways, including fortifications that prevent access or escape, habitual use for prostitution, production, sale and/or use of drugs, abuse of intoxicants, child sexual exploitation or child sexual abuse, the storage of illegal weapons and explosives, selling liquor without a licence, and criminal organization offences. The Public Safety Investigations (PSI) Unit has a manager, nine investigators, two video analysts and a registrar. The unit investigates complaints and applies for community safety orders in the Court of Queen's Bench, under *The Safer Communities and Neighbourhoods Act.* PSI conducts inspections and serves removal or closure orders under *The Fortified Buildings Act.* PSI is also responsible for licensing under *The Body Armour and Fortified Vehicles Control Act.*

In 2014/2015, PSI received 378 complaints under *The Safer Communities and Neighbourhoods Act*. Following investigation, 122 drug, prostitution (exploited persons), and criminal organization offences involving 138 separate complaints were closed. Nine complaints were referred to another agency, 45 complaints were closed due to insufficient evidence and 52 complaints remain open. Five owners removed fortifications from their property following an inspection conducted under *The Fortified Buildings Act*, no complaints were unfounded, on 3 complaints fortifications were observed but were removed prior to inspection, and 2 investigations are pending. Six permits to possess and one licence to sell have been issued under *The Body Armour and Fortified Vehicles Control Act.*

**High Risk Witness Management Program**

The High Risk Witness Management Program (HRWM) provides and co-ordinates protection to high risk witnesses as identified by law enforcement personnel under the provisions of *The Witness Security Act.* In addition the program coordinates with provincial law enforcement agencies to facilitate entry under the federal *Witness Protection Program Act* which is administered by the Royal Canadian Mounted Police. Since its

inception in 2002 the program has accepted 131 cases involving 159 witnesses and an additional 267 individuals associated to a witness. In 2014/2015, 2 new cases involving 2 new witnesses were admitted. In addition, 2 witnesses and 3 associated persons were added to existing cases. Fourteen cases are actively being managed by this program. Two cases were closed through the court process in 2014/2015, both of which concluded with a conviction. Three cases were refused admission as they failed to meet the required program criteria. There were no applications for admission to the federal government's Witness Protection Program[4] during 2014/2015.

**4 (e) Aboriginal and Community Law Enforcement**

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 1,581 | 28.00 | 1,742 | (161) | |
| Total Other Expenditures | 549 | | 771 | (222) | 1 |
| Total Programs | 244 | | 285 | (41) | 2 |

**Explanations:**
1. *Savings in communications, supplies and services and travel*
2. *Witness protection costs were less than anticipated*

## Victims Services

The Victim Services branch provides a wide range of services to clients throughout Manitoba, including domestic violence and child victims and victims of the most serious crimes, as outlined under *The Victims' Bill of Rights* (VBR). The branch consists of 53 staff that are based out of Winnipeg, Portage la Prairie, Brandon, Selkirk, Dauphin, The Pas, Thompson, and Morris. Victim Services Workers (VSWs) attend all court centres and circuit locations throughout the province.

Highlights of branch accomplishments in 2014/2015 include:

- In December 2014, the Minister of Justice released the Domestic Violence Death Review Committee's second report and accepted all of the recommendations.
- In March 2015, the Cellphone Emergency Limited Link-Up Program (CELL) was one of five Manitoba programs recognized with a Connected to the Community award from the Canadian Wireless Telecommunications Association. This award recognizes organizations across the country that use wireless technologies to improve the lives of Canadians.
- The Compensation for Victims of Crime Program participated in a *Lean* process review to improve efficiencies. As a result of this review, the program implemented numerous recommendations and the average application processing time was reduced from ten to six days.
- With the assistance of federal funding from the Policy Centre for Victims of Crime, Victim Services continues to employ a Family Liaison Contact to assist the families of missing and murdered women and persons. The Family Liaison Contact works alongside investigative members of Project Devote.
- Federal funding also enabled the employment of a therapist to support Justice employees who have been impacted by vicarious trauma and compassion fatigue. The therapist supports employees to continue to effectively address the needs and concerns of victims and witnesses.
- Victim Services continues to provide program information and training to health care providers, social service agencies, police, interpreters, the Independent Investigation Unit and CFS.
- Through a grant from the Criminal Property Forfeiture Fund, Victim Services was also able to provide:
  - interpreters to assist individuals applying for protection orders;
  - financial support for families of homicide victims to travel to court to attend sentencing hearings; and
  - support for Aboriginal and non-Aboriginal community agencies to provide additional services to victims of crime.

[4] The provincial HRWM program is designed for short term issues ranging from weeks up to and including four years, as well as an interim step prior to entry into the federal program. The federal program is managed by the RCMP and is designed to accommodate longer term needs.

- Victim Services continues to actively participate in the implementation of Manitoba's Domestic Violence Prevention Strategy.
- Victim Services regularly attends Snowflake Place (the Children's Advocacy Centre in Winnipeg) to provide enhanced support to child victims.

**Victim Rights Support Service (VRSS)**
The VBR specifies the rights of victims of the most serious crimes in their dealings with police, prosecutors, courts and corrections officials. VSWs help victims register for their rights and explain how and when they may exercise them. In 2014/2015, VRSS provided service to 632 victims.

**Child Victim Support Service (CVSS)**
The CVSS helps victims and witnesses of physical and sexual abuse (up to 18 years of age), adults who have experienced childhood sexual abuse and other vulnerable victims (on a case-by-case basis) who are involved in the criminal court process. In 2014/2015, CVSS offered services to 1,183 victims.

**Domestic Violence Support Service (DVSS)**
The DVSS helps victims of domestic violence when criminal charges have been laid, or may be laid against their partners. VSWs explain the cycle of violence, how the cycle may affect victims and their families and how to escape from it. They also help victims to develop protection plans to increase their personal safety. The DVSS also provides support to families who receive police services for domestic violence incidents that do not result in charges or arrests (Winnipeg only). In 2014/2015, the DVSS served 5,498 victims in criminal charge matters and 9,503 in non-criminal matters.

**Protection Order Designates Service**
*The Domestic Violence and Stalking Act* allows victims of stalking or domestic violence to apply for protective orders. Victim Services provides training to community service agencies so that their staff may become designated to assist protection order applicants. To date, 43 agencies have participated in training. There are currently 100 Protection Order Designates (PODs) in 18 communities across the province.

**Cellphone Emergency Limited Link-Up Program (CELL)**
The CELL program is a co-operative effort between MTS, social services agencies, police services and Manitoba Justice. A provincial coordinator, in cooperation with 26 social service agencies throughout the province, manages the CELL program. This program provides cell phones on a short-term basis to victims of domestic violence and stalking who are deemed to be at very high risk of violence. Eighteen high-risk victims of domestic violence accessed the program during 2014/2015. Recognizing that many clients have their own cell phones, the CELL Program was expanded to include the use of clients' personal cell phones within the program. During 2014/2015, 15 MTS phones were issued and three individuals enrolled in the program using their personal phones.

**Victim/Witness Assistance**
Victim/Witness Assistance provides support services to victims and witnesses of crime who are subpoenaed to appear in either Provincial Court or Court of Queen's Bench. In 2014/2015, Victim/Witness Assistance provided services to 4,719 victims of crime.

In 2014/2015, independent lawyers were paid through the program to represent the interests of sexual assault victims in 47 cases where defence counsel applied to the court for access to the victim's counselling and/or other records.

**Victims' Assistance Trust Fund (VAF)**
In 2014/2015, the department provided $240,000 from the Victims' Assistance Trust Fund to police and community agencies that provide services to victims. In 2014/2015, police-based programs that received grants included Brandon Police Victim Services and Pembina Valley Victim Services. Community-based programs that received grants included Manitoba Organization of Victim Assistance (MOVA), Eyaa Keen, North End Women's Centre, RESOLVE, Family Dynamics, Age and Opportunity Support Services for Older Adults Inc. (Older Victim Services), Aurora Family Therapy Centre – Bereavement Project and Aurora Family Therapy Centre – Unresolved Loss, Survivor's Hope Crisis Centre, and Immigrant Women's Association of Manitoba.

**4 (f) Victims Services**

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 3,864 | 49.50 | 3,866 | (2) | |
| Total Other Expenditures | 674 | | 645 | 29 | |
| Grants | 238 | | 240 | (2) | |

## Compensation for Victims of Crime

Under the authority of the VBR, the Compensation for Victims of Crime Program provides compensation for personal injury or death resulting from certain crimes occurring within Manitoba. A claim may be filed by a person who is an innocent victim of a criminal incident or a surviving dependant of a person killed as a result of a crime. Compensation can include income replacement, funeral expenses, training and rehabilitation expenses, medical/dental costs and grief counselling for survivors of homicide victims.

In 2014/2015, the program processed 925 new applications for compensation. It also provided services to approximately 95 long-term pension and wage loss claimants. Total compensation expenses for the 2014/2015 fiscal year were $3,526. Actuarial forecasts of long-term liabilities to meet the future compensation needs of all active compensation clients have increased an estimated $722. The increase in the long-term liability is the result of a decrease in the valuation interest rate from 3.97% at March 31, 2013 to 3.25% at March 31, 2014.

**4 (g) Compensation for Victims of Crime**

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Other Expenditures | 4,348 | | 3,634 | 714 | 1 |
| Total Actuarial Liability | (100) | | (100) | 0 | |

**Explanation:**
*1. Increase in the long term liability costs associated with a change in interest rate*

## Law Enforcement Review Agency

The Law Enforcement Review Agency (LERA) is an independent civilian agency established under *The Law Enforcement Review Act* to investigate public complaints of abuse of authority by municipal and local police.

A registrar, clerk and four investigators assist the commissioner of LERA in handling complaints about municipal and local police conduct that arise in the execution of police duties. LERA does not investigate criminal matters. Such matters are referred to the appropriate law enforcement agency.

The act provides several ways to resolve complaints: informal resolution (mediation); admission of disciplinary default by the respondent police officer; or where evidence exists, referral to a Provincial Court judge for public hearing.

The office investigated 221 complaints during 2014/2015 as compared to 233 complaints during 2013/2014. More information on LERA is available in the agency's annual report and on LERA's website at www.gov.mb.ca/justice/lera.

**4 (h) Law Enforcement Review Agency**

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 340 | 7.00 | 317 | 23 | |
| Total Other Expenditures | 89 | | 109 | (20) | 1 |

**Explanation:**
*1. Operating savings associated with travel, supplies, legal fees and training*

## Criminal Property Forfeiture

The Criminal Property Forfeiture Unit was established in June of 2009. Under the authority of *The Criminal Property Forfeiture Act,* the unit's director has access to a unique civil cause of action to seek forfeiture of proceeds and instruments of unlawful activity.

Civil actions under *The Criminal Property Forfeiture Act* are fully separate from criminal law and thus do not rely on successful criminal prosecutions. Forfeiture actions are initiated against property, not people. No criminal record is created and there are no findings of guilt or innocence. Although the director decides whether or not to initiate a civil forfeiture action, it is up to the Court of Queen's Bench to determine – on a balance of probabilities – whether property is proceeds or an instrument of unlawful activity. Monies resulting from successful forfeitures are deposited into the Criminal Property Forfeiture Fund. These funds are then distributed as provided for in section 19 of the act, including the compensation of victims and crime prevention activities.

Property subject to forfeiture must be located in Manitoba and includes both real property (real estate) and personal property (assets such as vehicles, jewellery and cash). Property located outside of Manitoba may also be appropriate for civil forfeiture but would need to be referred to the civil forfeiture office of jurisdiction.

*The Criminal Property Forfeiture Act* does not provide any powers of search or seizure. Instead, the act is designed to allow the director to work cooperatively with police to use evidence and information gathered in the course of criminal investigations. Material gathered by police during a criminal investigation can be forwarded to the director, who then determines if there is a viable civil forfeiture action. Before initiating a civil action, the director will confirm that the civil proceeding will not jeopardize or conflict with any criminal process related to the unlawful activity. In addition, the director will inquire whether the Crown has decided to pursue criminal forfeiture proceedings under federal legislation.

In the event that the director decides to initiate a civil forfeiture action, a statement of claim or application against the property is filed in the Court of Queen's Bench. The owner of the property can challenge the director's claim by filing a statement of defence or response to the application (Part II proceeding).

In June 2012, *The Criminal Property Forfeiture Act* was amended to allow for a simpler process, known as administrative forfeiture (Part III proceeding), in certain cases. This process is available to the director in respect of cash or personal property having a value of $75,000 or less; it must be in the possession of a law enforcement agency that seized it and not be subject to any prior registered interest. The property is forfeited in the event that no one disputes the director's notice of administrative forfeiture. In the event that the notice is disputed, the director must either continue the proceeding under Part II or discontinue it.

From April 1, 2014 through March 31, 2015, the director initiated civil forfeiture actions (Part II) against 32 properties. By year end, the majority of these matters remained under review by the Court of Queen's Bench. However, 33 files, mainly from previous years, were resolved by the court during 2014/2015. Under administrative forfeiture proceedings (Part III), 609 files were initiated with 425 being resolved prior to year end. The total amount realized from the disposition of property under Part II and Part III was $3.0 million.

Of the $3.0 million forfeited, legal costs were recovered in the amount of $ $490,463.35, as well as administration costs of $76,149.35. After accounting for costs, expenses, and reimbursements, approximately $2.7 million was retained in the Criminal Property Forfeiture Fund (CPFF) from the 2014/2015 fiscal year to promote safer communities through payments to law enforcement agencies ($1,082,380), to contribute to Victim

Services ($150,000) and to provide compensation for victims of crime ($113,653). In addition, horticulture equipment valued at $37,630 was donated to various schools and greenhouses in Manitoba.

**4 (i) Criminal Property Forfeiture**

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 451 | 5.00 | 489 | (38) | |
| Total Other Expenditures | 396 | | 389 | 7 | |

## Manitoba Police Commission

The Manitoba Police Commission was established during 2010/2011 as the first phase of implementation of Manitoba's *Police Services Act*. With consideration given to the cultural and gender diversity found in Manitoba, nine persons were appointed to sit as Commissioners on the Manitoba Police Commission.

Section 7 of the Act identifies the Police Commission's statutory duties as:

(a) providing advice to the minister on regulations dealing with the operation of police services and the conduct of police officers, including regulations prescribing standards for police services and police officers;
(b) consulting with the public on matters relating to law enforcement and policing, and providing the results of those consultations to the minister;
(c) developing a policy and procedures manual for police boards and a code of ethical conduct for members of police boards;
(d) arranging for training to be provided to members of police boards and civilian monitors; and
(e) performing any other duties assigned by the minister.

Section 8 of the Act authorizes the Minister to direct the Police Commission to complete a study on a specific issue relating to policing and law enforcement.

The Manitoba Police Commission is staffed by an Executive Director, an Assistant Director and an Administrative Support position.

In April 2014, the Manitoba Police Commission provided detailed advice and recommendations to the Minister for regulations to support the establishment of the Independent Investigation Unit. These recommendations were developed by the Commission through a year-long study that included consultations with stakeholder groups across Manitoba.

This fiscal year the Commission completed its work on the civilian monitor program, which included the development of a program model, training plan and policy and procedures manual. A detailed research paper that included recommendations for regulations to support the civilian monitor program was submitted to the Minister in August 2014.

The Manitoba Police Commission continues to work interactively with municipal councils, municipal police boards and police agencies across Manitoba. Over the past year, Commission staff have delivered presentations to five municipal councils and have met regularly with all police boards. In March 2015, the Manitoba Police Commission hosted a one-day police board governance training session, held in Ste. Anne, Manitoba, that involved the members of all municipal police boards as well as all municipal police chiefs.

This past year the Commission has also participated in conferences and workshops as a member of the Manitoba Association of Chiefs of Police and the Canadian Association of Police Governance. These working alliances have greatly informed research efforts at the Commission relative to the development of policing governance practices and recommendations for policing standards and regulations.

**4 (j) Manitoba Police Commission**

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 263 | 3.00 | 300 | (37) | |
| Total Other Expenditures | 138 | | 244 | (106) | |

## Independent Investigation Unit

The Independent Investigation Unit will be the final part of *The Police Services Act* to be proclaimed. Proclamation of the legislation and regulations is targeted for June 2015. The Department is continuing its work to prepare for the Unit to become operational. *The Police Services Act* requires that the Unit be headed by a civilian director who is not a current or former member of a police service or the Royal Canadian Mounted Police. Unless he or she resigns or his or her appointment is terminated, the civilian director shall hold office for five years from the date of the appointment. A person may be reappointed as civilian director for a second term of five years but may not serve more than two terms. The civilian director is responsible for the management, administration and operation of the Unit, overseeing all investigations undertaken by the Unit and performing all other duties imposed by the Act.

The Unit must conduct an investigation if a police officer has been involved in an incident where a person has died or suffered a serious injury or if there is evidence that a police officer has contravened a prescribed section of the *Criminal Code* or a prescribed federal or provincial statute. The civilian director must be notified by the police chief of the police service, of all such incidents as soon as practicable, whether or not the police officer was on duty at the time of the conduct in question. The civilian director must also be notified by the police chief of the police service of all other allegations of unlawful activity involving a police officer and may assume conduct of any investigation of such incidents if he or she considers it to be in the public interest to do so.

The civilian director may select a current or former member of the Royal Canadian Mounted Police, a current or former member of a police service in Manitoba or another Canadian province, or a civilian with investigative experience to be an investigator with the Unit, provided the person has the prescribed qualifications and experience. An investigator, while serving with the Unit, is under the sole command and direction of the civilian director.

The Manitoba Police Commission must appoint civilian monitors to mandatory investigations undertaken by the Unit or where the civilian director has requested the assignment of a civilian monitor to its investigations. The civilian monitor must monitor the progress of the investigation by the Unit in accordance with prescribed practices and procedures.

Since the appointment of the civilian director for the Independent Investigation Unit in March 2013, the remaining management team has been hired.

A competitive hiring process for eight senior investigator positions was conducted in March 2015 and completed. The senior investigators will begin their employment with the Independent Investigation Unit on May 4, 2015. The investigative backgrounds of each are based in major case and complex investigative backgrounds, each investigator averaging 25 years investigative experience.

A comprehensive Independent Investigation Unit Training and Orientation Syllabus has been created and planned for delivery in May 2015. An Independent Investigation Unit Policy and Procedure Manual has been developed and will be implemented with the opening date of the new unit in June 2015.

## 4 (k) Independent Investigation Unit

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 453 | 5.00 | 668 | (215) | 1 |
| Total Other Expenditures | 187 | | 740 | (553) | 1 |

**Explanations:**

1. *Savings from vacancies of budgeted positions.*

# Courts

The Courts Division manages the effective and efficient delivery of court services throughout the province. This includes criminal, family, civil, small claims and summary conviction court matters, court security, prisoner transport, civil enforcement of court orders, and operational support. These services are provided through the division's five branches: Court Services, Winnipeg Courts, Regional Courts, Judicial Services and Manitoba Sheriff Services. The courts appropriation (04-5) is comprised of five sub-appropriations for the division's five branches.

Division services are provided to three levels of court: the Court of Appeal, the Court of Queen's Bench (including the Small Claims Court) and the Provincial Court (including the Summary Convictions Court). (See Appendix II, III and IV for more information on Manitoba court locations and circuits.)

The division manages the Maintenance Enforcement Program (MEP) which enforces court orders and separation agreements that require payment of family support. If necessary, collection action may be taken, including interception of federal payments, garnishing orders, seizure of personal property, property liens, suspension of driving privileges, denial of passports and prosecution.

The division also manages the Fine Collection Program and the Restitution Program. The Fine Collection Program, on behalf of the Manitoba government, municipal governments and the Victims' Assistance Trust Fund, processes, disburses and enforces provincial statute and *Criminal Code* fines that have been ordered by the court. If necessary, collection action may be taken if a fine is not paid voluntarily and within court prescribed time limits. This may include registering the debt with a third party collection agency or credit reporting agency, placement of holds on driver's licences and vehicle registrations, garnishing orders, property liens or property seizure. The Restitution Program monitors the payment of court ordered restitution (money owed to a victim of crime). If payment is not made, the program will advise the victim on the necessary steps to proceed to civil judgment.[5]

The Review Board forms part of the Courts Division. It is an independent administrative tribunal established under the *Criminal Code* to deal with those charged with criminal offences that have been found unfit to stand trial or have been found not criminally responsible because of a mental disorder.[6]

The division includes the Vehicle Impoundment Registry which is the administrative centre where the status of each vehicle seized in Manitoba is recorded. Detailed information on the Vehicle Impoundment Registry can be found in its annual report. To obtain a copy, call 204-945-4454 in Winnipeg.

In response to a number of accidental releases of persons in custody, the Minister of Justice directed that a comprehensive, independent review of factors leading to accidental releases be conducted. The review was completed and the recommendations are being implemented. The review found that the accidental releases tend to result from unique sets of circumstances combined with human error, especially in complex legal cases. The review recognized that the department takes each such release very seriously. The author, an expert on court administration, concluded that the different divisions of the department need to be better connected through technology and improved internal communication and that staff needs standardized training, comprehensive procedure manuals and focused professional development. Seven persons were accidentally released in 2014/2015.

## Court Services

The Court Services Branch provides Winnipeg Courts, Regional Courts, Judicial Services and Manitoba Sheriff Services with expertise in administration, financial management, governance, project reviews, planning of information systems, and facilities design and use. The branch is also responsible for the collection of court ordered family support and fines.

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[5] Restitution ordered solely to Manitoba Public Insurance (MPI) is excluded from this process. MPI monitors these restitution orders separately.

[6] In accordance with *The Public Sector Compensation Disclosure Act*, the eight members of the Review Board received $69,000 in compensation in the aggregate and there were no board members that individually received compensation of $50,000 or more annually. The $69,000 includes Board fees, reasons, and prep time.

Highlights during the 2014/2015 fiscal year included:

- In 2014/2015, the Maintenance Enforcement Program had more than 12,900 files and disbursed $61.4 million in maintenance payments to recipients (the compliance rate increased from 20% in 2000 to 60%), and also directed a total of $4.0 million to the Minister of Finance to offset income assistance costs. The program took the following enforcement actions against debtors during 2014/2015: issued 2,062 federal support deduction notices, 4,798 support deduction notices for wages and bank accounts and 13 pension garnishing orders; initiated 2,352 notices of intent to suspend driver's licences; and served 49 summonses by Sheriff Services Civil Enforcement to appear before the court. Special investigative and enforcement efforts continued to be focused on the relatively small number of debtors who have habitually failed to comply with their support obligations. The increased enforcement actions are a result of the Manitoba Maintenance (Enforcement) Management Program ($M^3P$) system's capacity to quickly identify files where default has occurred so that automated enforcement actions can be taken.
- In 2014/2015, the Fine Collection Program processed $63.1 million for provincial statute and *Criminal Code* fines including fines that were paid voluntarily and within court prescribed time frames. In addition, over 20,466 active driver's licence holds and 21,023 motor vehicle registration holds were put in place and 2,051 collection actions (which include garnishing wages and bank accounts) and four writs (to seize vehicles) were utilized for the collection of outstanding fines. Overall in 2014/2015, enforcement action resulted in a total of $11 million in outstanding fines recovered - including large account balances. The total provincial fine revenue processed was $34.6 million.
- The Large Account Balance Program was implemented in 2006/2007 to target large balance accounts that have outstanding overdue amounts totalling more than $2,000. The 2014/15 was the ninth year for the program collecting almost $2.1 million for a total of $ 15.0 million[7] since inception of the program.
- The Restitution Program received and disbursed $693,000 in restitution payments to victims of crime.

**5 (a) Court Services**

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 4,203 | 76.00 | 5,199 | (996) | 1 |
| Total Other Expenditures | 3,219 | | 2,951 | 268 | |

**Explanation**:

1. *Primarily the recruitment process and under-fills of budgeted positions offset by retirement severance and vacation payments*

## Winnipeg Courts

The Winnipeg Courts Branch provides operational and administrative support to efficiently manage and process all matters in the Court of Appeal, the Court of Queen's Bench (civil, criminal, family, and small claims), and the Provincial Court (adult, youth, family and Summary Convictions Court). Services are also provided to seven circuit court locations outside Winnipeg.

The Winnipeg Courts Branch accepts guilty pleas and/or payments of fines issued by agencies throughout Manitoba. The branch also accepts deposits of monies which are held in trust and later disbursed through the Suitors' Trust System.

The branch is responsible for the operations of the jury management system, ensuring that sufficient jurors are available to meet the jury trial needs of the Court of Queen's Bench.

Branch highlights for 2014/2015 included:

- The Manitoba Court of Appeal centre opened 230 new files.[8]

[7] This total may not add up from previous years due to rounding.

[8] Prior to 2014/15, Court of Appeal statistics were reported by calendar year.

- The Winnipeg and St. Boniface Court of Queen's Bench centres opened 17,914 new files and added 191,408 documents to the Court Registry System.
- A total of $9.1 million was held in trust within the Suitors' Trust System.
- The Provincial Court processed 55,298 new charges[9] (youth and adult) in the Winnipeg centre.
- Summary conviction matters totaled 240,016 in new tickets throughout Manitoba, with the majority being administered through the Summary Convictions Court in Winnipeg. These included 95,721 regular Common Offence Notice (CON) tickets and 144,295 Image Capturing Enforcement System (ICES) tickets. On December 8th, the RCMP, in partnership with Manitoba Justice and the Summary Convictions Court, began issuing electronic tickets by using new electronic ticketing equipment significantly reducing the amount of time spent on issuing, printing and processing minor traffic offences.
- 19 jury trials were held in Winnipeg and Winnipeg Jury Management issued 8,150 jury summonses (out of 30,000 names obtained from Manitoba Health).
- The Transcription Services Unit (TSU) arranged for transcription of over 141,623 pages of court proceedings, representing approximately 2,940 transcript requests.
- The Review Board held 117 hearings, totaling 28 sitting days, for patients under its jurisdiction. During 2014/2015, the Board dealt with a total of 116 patients. As of March 31, 2015, 107 patients remained under the board's jurisdiction.
- The Vehicle Impoundment Registry maintained records for 4,339 vehicles seized from people driving while suspended or prohibited or with blood alcohol content over 0.08, for refusing a breathalyzer; refusing or failing a field sobriety test; or for committing prostitution related offences.

**5 (b) Winnipeg Courts**

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 8,283 | 156.00 | 8,424 | (141) | |
| Total Other Expenditures | 1,510 | | 1,380 | 130 | |

## Regional Courts

The Regional Courts Branch provides operational and administrative support to efficiently manage and process all matters in the Court of Queen's Bench (civil, criminal and family) and the Provincial Court (adult, youth and family) outside Winnipeg. The regional courts structure provides decentralized court services in two regional centres, Thompson and Brandon. Services are provided in 12 court locations and over 50 circuit court locations. The Department continues to streamline the circuit court schedules in order to maximize resources and resolve cases more quickly.

The Regional Courts Branch accepts guilty pleas and/or payments of fines issued by agencies throughout Manitoba. The branch also accepts deposits of monies which are held in trust and later disbursed through the Suitors' Trust System.

The branch also manages the Aboriginal Court Work Program. The program is intended to assist Aboriginal people to recognize their rights and obligations and to understand how the criminal justice system functions. Specifically; Aboriginal court workers provide information that can increase access to alternative methods of justice, resources, and programs to Aboriginal clients. In addition, staff of this program collaborates with justice officials and other justice system stakeholders to improve knowledge of Aboriginal values, customs, languages and living conditions. Services are provided in English, Cree, Ojibwé, Oji-Cree and Dakota at court and circuit court locations throughout Manitoba.

[9] While Manitoba Prosecutions Service opened 50,369 files in 2014/2015, the Provincial Court processed 92,216 new adult and youth charges in the fiscal year. The primary reason for the difference is that Manitoba Prosecutions Service statistics refer to files and Courts Division statistics refer to charges. Manitoba Prosecutions Service can have one file that encompasses a series of charges relating to one incident. As well, Manitoba Prosecutions Service statistics do not include federal offences (such as the *Controlled Drugs and Substances Act* and the *Immigration and Refugee Protection Act)*, municipal charges such as bylaw offences, or charges laid as private prosecutions.

The Regional Courts Branch works with Aboriginal communities to enhance their involvement in the court process. Regional Courts encourages First Nation communities to identify Elder roles in the court process and to promote regular participation at sittings of the Provincial Court in their communities. Through agreements with the Manitoba Keewatinowi Okimakanak (MKO) and St. Theresa Point First Nation, Courts Division programs enable communities to establish community justice workers who work with their respective First Nations to use traditional healing to bring offenders and the community to peaceful solutions, liaise with the police and the Crown to foster understanding of community issues, and provide the judiciary with options for culturally appropriate dispositions.

Branch highlights for 2014/2015 included:

- The regional Court of Queen's Bench centres opened 3,402 new files and added 46,024 documents to the Court Registry System.
- As of March 31, 2015, $1.7 million was held in trust within the Suitor's Trust System
- The Provincial Court processed 36,918 new charges[10] (youth and adult) in the regional court offices.
- Six jury trials proceeded in the regions and 2,790 jury summonses were issued.
- The Aboriginal Court Work Program assisted 10,131 clients.
- The six regional Transcription Services Units arranged for transcription of approximately 32,859 pages of court proceedings, representing 688 transcript requests.

**5 (c) Regional Courts**

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 4,794 | 80.00 | 5,098 | (304) | |
| Total Other Expenditures | 2,483 | | 2,409 | 74 | |

## Judicial Services

The Judicial Services Branch provides direct support to the judiciary of the Court of Appeal, the Court of Queen's Bench and the Provincial Court through judicial assistants, researchers and coordinators. Judicial services are also provided throughout the province by small claims court officers and justices of the peace. Branch staff facilitates the effective operation of the courts by acting as a liaison between the judicial branch of government, the executive branch of government, the public and the legal profession.

Under the direction of the Chief Justice of the Court of Queen's Bench and the Chief Judge of the Provincial Court, all appearances on criminal, civil and family matters before the courts are scheduled by coordinators to ensure effective use of judicial resources and courtrooms. This includes Provincial Court pre-trial coordinators who preside in court to ensure that procedural matters are addressed within agreed-upon timelines, freeing up judges to deal with the substantive legal issues.

Over 160 justices of the peace (including 21 judicial justices of the peace) provide judicial services in 12 court locations and over 50 communities under the judicial direction of the Chief Judge of the Provincial Court. There are three types of justices of the peace in Manitoba: judicial justices of the peace, staff justices of the peace and community justices of the peace. Judicial justices of the peace perform duties where independence from the executive and legislative branches of government is required such as conducting trials and sentencing hearings under *The Summary Convictions Act,* hearing protection order applications under *The Domestic Violence and Stalking Act*, and issuing search warrants. Staff justices of the peace are located in court offices throughout the province and their duties include such matters as setting hearing dates, reviewing documents with an accused person and processing the laying of charges. Community justices of the peace are community members who

[10] While Manitoba Prosecutions Service opened 50,369 files in 2014/2015, the Provincial Court processed 92,216 new adult and youth charges in the fiscal year. The primary reason for the difference is that Manitoba Prosecutions Service statistics refer to files and Courts Division statistics refer to charges. Manitoba Prosecutions Service can have one file that encompasses a series of charges relating to one incident. As well, Manitoba Prosecutions Service statistics do not include federal offences (such as the *Controlled Drugs and Substances Act* and the *Immigration and Refugee Protection Act)*, municipal charges such as bylaw offences, or charges laid as private prosecutions.

volunteer to perform duties similar to staff justices of the peace in their community such as the swearing of Informations, witnessing documents and issuing subpoenas.

Five court officers in the Court of Queen's Bench hear small claims court matters in 15 locations throughout Manitoba.

Branch highlights for 2014/2015 included:

- Ongoing educational programs were provided to all justices of the peace through the office of the Director of Justice of the Peace Services under the direction of the Chief Judge of the Provincial Court.
- Ongoing educational programs were provided, in conjunction with Winnipeg and Regional Courts Branches to court staff throughout the province.
- Implementing changes to the Small Claims hearing process as a result of amendments to *The Court of Queen's Bench Small Claims Practices Act* that came into effect on January 1, 2015, and ensuring that Manitoba's Small Claims Court Officers were provided with the necessary supports and continuing education
- Managing the development of a new program delivery model for the Winnipeg Drug Treatment Court pursuant to the federal Drug Treatment Court Funding Program
- Supported continuing improvements to the Manitoba Courts website, such as the provision of informational videos, to assist public understanding of the court processes respecting all three levels of court in Manitoba.

More information on the Provincial Court of Manitoba is available in its annual report, which is available on the Manitoba Courts website www.manitobacourts.mb.ca.

### 5 (d) Judicial Services

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 20,982 | 88.00 | 20,696 | 286 | |
| Total Other Expenditures | 2,608 | | 2,392 | 216 | 1 |

***Explanation:***
*1. Judiciary appointment and relocation costs and shortfall in desktop, publications and transcript costs*

## Sheriff Services

Sheriff Services is comprised of Winnipeg and regional Sheriff Services' offices.

Winnipeg operations are responsible for the security of courtrooms in the Winnipeg Law Courts Complex. A perimeter security system is operated at the Winnipeg Law Courts Complex, preventing weapons and other contraband from entering the facility.

Regional operations are responsible for the security of courtrooms in five offices located across Manitoba including, Portage la Prairie, Brandon, Dauphin, The Pas and Thompson.

Sheriff Services is responsible for the transport of incarcerated persons to and from court from the various federal and provincial correctional facilities in Manitoba. Sheriffs service over 40 circuit court locations across Manitoba. Sheriffs also enforce all writs of seizure and sale; conduct evictions; arrest individuals on civil warrants; and serve various summonses, subpoenas, protection orders and other court directed documents.

Branch highlights for 2014/2015 included:

- Winnipeg sheriffs transported 9,016 prisoners to court, travelled 661,696 kilometres by road and 26,296 kilometres by air.
- Regional sheriffs transported 16,299 prisoners to court, traveled 908,816 kilometres by road and 159,340 kilometres by air.
- Sheriff Services provided security at 19 jury trials in Winnipeg and 6 in regional court offices.
- Winnipeg Sheriffs utilized video conferencing technology for 12,551 prisoner court appearances.
- Regional Sheriffs utilized video conferencing technology for 821 prisoner court appearances.
- Sheriff Services provided Lawyer Video Interview (LVI) terminals in 8 provincial institutions.

- Sheriff Officers scanned 258,495 individuals entering the Winnipeg Law Courts Complex.
- Sheriffs served a total of 2,690 legal documents including protection orders and subpoenas (1,679 by Winnipeg officers and 1,011 by regional officers).
- Sheriffs executed 275 writs of seizure and sale (235 by Winnipeg officers; 40 by regional officers).
- Winnipeg Sheriffs processed and transferred 202 accused persons through the Sheriff Officer Warrant Diversion Project Process.
- The Civil Enforcement Unit issued 4,101 sheriffs' certificates provincially.
- Total monies received from all sources (including sheriffs' certificates) were $203,205.

### 5 (e) Sheriff Services

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Total Salaries | 9,091 | 105.70 | 9,576 | (485) | 1 |
| Total Other Expenditures | 3,096 | | 3,019 | 77 | |

**Explanation:**

1. Primarily recruitment process and savings in northern escort costs due to enhanced video conferencing.

# Costs Related to Capital Assets

Manitoba Justice's inventory of capital assets includes machinery, equipment and information systems. The department is required to amortize its assets, which is a gradual write-off of the initial cost of the asset over its useful life. In addition, interest expense is also applied to capital funds on net book value.

Major capital assets requiring amortization in 2014/2015 included SAP support, government air, and existing assets including equipment and information systems projects and major computer applications.

- SAP support refers to the protection, maintenance and enhancement of the government's SAP software. Introduced in 1999, SAP (Systems, Applications and Products in Data Processing) is the integrated management software Manitoba uses to support business and administrative requirements across government. SAP software is used by many staff and as a result Manitoba Justice is required to pay a share of the overall government amortization costs for the system.
- Government air refers to the department's contribution (based on use) to amortize the province's fleet of aircrafts, used primarily by justice personnel for circuit court travel.
- The existing asset inventory includes information technology projects, major computer applications, furniture, equipment and machinery.

The amortization of existing assets and interest expense are provided as of March 31, 2015.

### 04-6 Costs Related to Capital Assets

| Expenditures by Sub-Appropriation | Actual 2014/15 $(000s) | Estimate 2014/15 FTE | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|
| Government air | 246 | | 246 | | |
| Amortization–Existing assets at March 31, 2015 | 2,290 | | 2,700 | (410) | 1 |
| Interest expense | 941 | | 1,070 | (129) | 1 |
| **Total** | **3,477** | | **4,016** | **(539)** | |

**Explanation:**

1. *Community Safety's carryover to 2015/16 resulting in deferral of amortization and interest charges*

# Financial Information Section

## Reconciliation Statement of Printed Vote

| DETAILS | 2014/15 ESTIMATES $(000s) |
|---|---|
| **2014/15 MAIN ESTIMATES** | **$ 533,384** |
| **MAIN ESTIMATES AUTHORITY TRANSFERRED FROM:** | |
| - Justice Initiatives | 1,266 |
| - Internal Service Adjustments | 1,300 |
| **2014/15 ESTIMATE** | **$ 535,950** |

# Manitoba Justice

**Expenditure Summary**
**for the fiscal year ended March 31, 2015 with comparative figures for the previous year**

| 2014/15 Estimate $(000s) | Appropriation | 2014/15 Actual $(000s) | 2013/14 Actual $(000s) | Increase (Decrease) $(000s) | Variance Expl. No. |
|---|---|---|---|---|---|
| | **04-1 Administration, Finance & Justice Innovation** | | | | |
| 37 | (a) Minister's Salary | 37 | 37 | - | |
| | (b) Executive Support | | | | |
| 708 | Salaries | 661 | 901 | (240) | 1 |
| 88 | Other Expenditures | 103 | 89 | 14 | |
| | (c) Policy Development and Analysis | | | | |
| 495 | Salaries | 498 | 485 | 13 | |
| 117 | Other Expenditures | 100 | 100 | - | |
| | (d) Financial & Administrative Services | | | | |
| 1,525 | Salaries | 1,440 | 1,503 | (63) | |
| 274 | Other Expenditures | 357 | 324 | 33 | |
| 1,123 | Programs/Grant | 1,123 | 1,123 | - | |
| | (e) Computer Services | | | | |
| 1,204 | Salaries | 908 | 874 | 34 | |
| 572 | Other Expenditures | 485 | 394 | 91 | |
| (328) | Less: Recoverable from Part B - Capital | 0 | - | 0 | |
| **5,815** | **Subtotal 04-1** | **5,712** | **5,830** | **(118)** | |
| | **04-2 Criminal Justice** | | | | |
| | (b) Manitoba Prosecutions Service | | | | |
| 29,636 | Salaries | 26,324 | 24,517 | 1,807 | 2 |
| 4,314 | Other Expenditures | 4,747 | 4,848 | (101) | |
| 806 | Witness Programs | 1,369 | 1,314 | 55 | |
| | (h) Office of the Chief Medical Examiner | | | | |
| 1,184 | Salaries | 1,106 | 1,090 | 16 | |
| 2,799 | Other Expenditures | 2,868 | 2,611 | 257 | 3 |
| 0 | (l) Phoenix Sinclair Inquiry | 0 | 3,499 | (3,499) | 4 |
| **38,739** | **Subtotal 04-2** | **36,414** | **37,879** | **(1,465)** | |

1. Executive Support - Decrease in severance and vacation payments related to the retirement of the former Deputy Minister and an administrative assistant in 2013/14.
2. Manitoba Prosecutions – Primarily Increase in salary costs related to new positions and existing positions.
3. Office of the Chief Medical Examiner – Increase in costs related to autopsy fees due to backlog of autopsy reports and increased transportation costs.
4. Phoenix Sinclair Inquiry - Decrease due to adjournment of inquiry hearings and proceedings.

# Manitoba Justice

**Expenditure Summary**

**for the fiscal year ended March 31, 2015 with comparative figures for the previous year**

| 2014/15 Estimate $(000s) | Appropriation | 2014/15 Actual $(000s) | 2013/14 Actual $(000s) | Increase (Decrease) $(000s) | Variance Expl. No. |
|---|---|---|---|---|---|
| | **04-3 Civil Litigation & Advisory Services** | | | | |
| | (a) Manitoba Human Rights Commission | | | | |
| 1,715 | Salaries | 1,689 | 1,712 | (23) | |
| 462 | Other Expenditures | 511 | 493 | 18 | |
| | (b) Legislative Counsel | | | | |
| 2,536 | Salaries | 2,312 | 2,459 | (147) | |
| 372 | Other Expenditures | 413 | 368 | 45 | |
| 85 | (c) Grant to Manitoba Law Reform Commission | 85 | 85 | - | |
| | (d) Family Law | | | | |
| 2,008 | Salaries | 1,884 | 1,735 | 149 | 5 |
| 163 | Other Expenditures | 192 | 189 | 3 | |
| | (e) Constitutional Law | | | | |
| 1,283 | Salaries | 865 | 989 | (124) | 6 |
| 284 | Other Expenditures | 265 | 278 | (13) | |
| | (f) Legal Aid Manitoba | | | | |
| 16,556 | Salaries | 15,213 | 15,211 | 2 | |
| 14,540 | Other Expenditures | 15,650 | 13,585 | 2,065 | 7 |
| | (g) Civil Legal Services | | | - | 8 |
| 7,711 | Salaries | 7,138 | | 7,138 | |
| 970 | Other Expenditures | 855 | | 855 | |
| (8,681) | Less: Recoverable from Other Appropriations | (8,206) | | (8,206) | |
| **40,004** | **Subtotal 04-3** | **38,866** | **37,104** | **1,762** | |

5. Family Law - Increased salary costs related to filling of vacant positions.
6. Constitutional Law - Decrease in salaries due to increased vacancies.
7. Legal Aid - Increase due to clients qualifying for coverage and volume of private bar case payments.
8. Civil Legal Services - was an SOA up to March 31, 2014 and reverted to a branch in Justice commencing April 1, 2014.

# Manitoba Justice

**Expenditure Summary**

**for the fiscal year ended March 31, 2015 with comparative figures for the previous year**

| 2014/15 Estimate $(000s) | Appropriation | 2014/15 Actual $(000s) | 2013/14 Actual $(000s) | Increase (Decrease) $(000s) | Variance Expl. No. |
|---|---|---|---|---|---|
| | **04-4 Community Safety** | | | | |
| | (a) Corporate Services | | | | |
| 3,664 | Salaries | 3,126 | 2,894 | 232 | 9 |
| 736 | Other Expenditures | 880 | 809 | 71 | |
| | (b) Adult Corrections | | | | |
| 161,513 | Salaries | 167,859 | 166,215 | 1,644 | 10 |
| 24,845 | Other Expenditures | 22,898 | 23,704 | (806) | 10 |
| 2,898 | Programs and External Agencies | 2,714 | 2,768 | (54) | |
| (5) | Recoveries from Other Appropriations | (4) | (4) | 0 | |
| | (c) Youth Corrections | | | | |
| 44,580 | Salaries | 43,597 | 45,421 | (1,824) | 11 |
| 4,821 | Other Expenditures | 3,957 | 4,069 | (112) | |
| 242 | Programs and External Agencies | 190 | 202 | (12) | |
| | (c) Provincial Policing | | | | |
| 129,483 | Gross Expenditures | 128,910 | 123,056 | 5,854 | 12 |
| (2,150) | Recovery: Rural Economic Development Initiatives | (2,000) | (2,000) | 0 | |
| | (d) Aboriginal and Community Law Enforcement | | | | |
| 1,742 | Salaries | 1,581 | 1,563 | 18 | |
| 771 | Other Expenditures | 549 | 797 | (248) | 13 |
| 285 | Programs | 244 | 198 | 46 | |
| | (e) Victim Services | | | | |
| 3,866 | Salaries | 3,864 | 3,798 | 66 | |
| 645 | Other Expenditures | 674 | 621 | 53 | |
| 240 | Grants | 238 | 240 | (2) | |

9. Corporate Services - Increased salary costs including retirement severance and vacation payouts.
10. Adult Corrections - Increase in salary costs due to increased inmate populations and decrease in communication, food, drugs, supplies, professional services due to efficiencies.
11. Youth Corrections - Decrease in salary costs related to reduction in youth custody counts and closure of an open custody unit in January 2014.
12. Provincial Policing - Increase in DOPS and PPSA salary and operating as well as timing of payment for new contract for DNA Biological Casework.
13. Aboriginal and Community Law Enforcement - Decrease due to one time relocation costs from 405 Broadway to 155 Carlton in 2013/14 and decreased transportation costs.

# Manitoba Justice

**Expenditure Summary**

**for the fiscal year ended March 31, 2015 with comparative figures for the previous year**

| 2014/15 Estimate $(000s) | Appropriation | 2014/15 Actual $(000s) | 2013/14 Actual $(000s) | Increase (Decrease) $(000s) | Variance Expl. No. |
|---|---|---|---|---|---|
| | (f) Compensation for Victims of Crime | | | | |
| 3,534 | Other Expenditures | 4,248 | 2,376 | 1,872 | 14 |
| | (g) Law Enforcement Review Agency | | | | |
| 317 | Salaries | 340 | 472 | (132) | 15 |
| 109 | Other Expenditures | 89 | 95 | (6) | |
| | (i) Criminal Property Forfeiture | | | | |
| 489 | Salaries | 451 | 479 | (28) | |
| 389 | Other Expenditures | 396 | 504 | (108) | |
| | (j) Manitoba Police Commission | | | | |
| 300 | Salaries | 263 | 238 | 25 | |
| 244 | Other Expenditures | 138 | 151 | (13) | |
| | (k) Independent Investigation Unit | | | | |
| 668 | Salaries | 453 | 188 | 265 | 16 |
| 740 | Other Expenditures | 187 | 44 | 143 | 16 |
| 1,266 | (l) Justice Initiatives | 1,266 | 1,271 | (5) | |
| **386,232** | **Subtotal 04-4** | **387,108** | **380,169** | **6,939** | |

14. Compensation for Victims of Crime - Increase due to long term liability for existing claims, change to factor interest rate and increase to impairment, compensation, medical, pension and child benefits related to an increase in number of claims.
15. Law Enforcement Review Agency - Decrease due to vacant positions, lower retirement severance and vacation payouts.
16. Independent Investigation Unit - Increase due to filling of vacant positions and increase in transportation, communication, and other operating costs including furniture attributed to implementation of the unit.

# Manitoba Justice

**Expenditure Summary**

**for the fiscal year ended March 31, 2015 with comparative figures for the previous year**

| 2014/15 Estimate $(000s) | Appropriation | 2014/15 Actual $(000s) | 2013/14 Actual $(000s) | Increase (Decrease) $(000s) | Variance Expl. No. |
|---|---|---|---|---|---|
| | **04-5 Courts** | | | | |
| | (a) Court Services | | | | |
| 5,199 | Salaries | 4,203 | 4,556 | (353) | 17 |
| 2,951 | Other Expenditures | 3,219 | 3,284 | (65) | |
| | Less: Recoverable from Part B - Capital | - | (233) | 233 | 17 |
| | (b) Winnipeg Courts | | | | |
| 8,424 | Salaries | 8,283 | 8,328 | (45) | |
| 1,380 | Other Expenditures | 1,510 | 1,352 | 158 | 18 |
| | (c) Regional Courts | | | | |
| 5,098 | Salaries | 4,794 | 4,976 | (182) | 19 |
| 2,409 | Other Expenditures | 2,483 | 2,299 | 184 | |
| | (d) Judicial Services | | | | |
| 20,696 | Salaries | 20,982 | 21,033 | (51) | |
| 2,392 | Other Expenditures | 2,608 | 2,577 | 31 | |
| | (e) Sheriff Services | | | | |
| 9,576 | Salaries | 9,091 | 9,536 | (445) | 20 |
| 3,019 | Other Expenditures | 3,096 | 3,155 | (59) | |
| 0 | (f) Justice Initiatives | 0 | 19 | (19) | |
| **61,144** | **Subtotal 04-5** | **60,269** | **60,882** | **(613)** | |
| **4,016** | **04-6 Costs Related To Capital Assets** | **3,477** | **3,137** | **340** | 21 |
| **535,950** | **TOTAL EXPENDITURES** | **531,846** | **525,001** | **6,845** | |

17. Court Services - Savings in salaries related to vacancies, decrease in retirement severance, vacation payments and Part B Capital Recovery not applicable in 2014/15; M3P Project complete.
18. Winnipeg Courts - Increase due to legal fees, computer related charges, transportation, communication and ACRS costs.
19. Regional Courts – Primarily savings in salaries associated with vacancies and under-fills
20. Sheriff Services – Savings in salaries associated with vacancies and under-fills and decrease in retirement severance and vacation payments
21. Costs related to Capital Assets - Full year amortization and interest on previously purchased assets.

# Manitoba Justice

**Expenditure Summary**

**for the fiscal year ended March 31, 2015 with comparative figures for the previous year**

| 2014/15 Estimate $(000s) | | Appropriation | 2014/15 Actual $(000s) | 2013/14 Actual $(000s) | Increase (Decrease) $(000s) | Variance Expl. No. |
|---|---|---|---|---|---|---|
| | | **Department Summary 04 by Main Appropriation** | | | | |
| 5,815 | (1) | Administration, Finance & Justice Innovation | 5,712 | 5,830 | (118) | |
| 38,739 | (2) | Criminal Justice | 36,414 | 37,879 | (1,465) | |
| 40,004 | (3) | Civil Justice | 38,866 | 37,104 | 1,762 | |
| 386,232 | (4) | Corrections | 387,108 | 380,169 | 6,939 | |
| 61,144 | (5) | Courts | 60,269 | 60,882 | (613) | |
| 4,016 | (6) | Costs Related To Capital Assets | 3,477 | 3,137 | 340 | |
| **535,950** | | **Total** | **531,846** | **525,001** | **6,845** | |

# Manitoba Justice

**Revenue Summary**

**for the fiscal year ended March 31, 2015 with comparative figures for the previous year**

| Actual 2013/14 | Actual 2014/15 | Increase (Decrease) | Source | Actual 2014/15 | Estimate 2014/15 | Variance | Explanation Number |
|---|---|---|---|---|---|---|---|
| | | | **GOVERNMENT OF CANADA** | | | | |
| 435 | 436 | 1 | Aboriginal Court Worker Program | 436 | 435 | 1 | |
| 607 | 563 | (44) | Supporting Families Initiative | 563 | 607 | (44) | |
| 4,828 | 4,863 | 35 | Legal Aid Agreement | 4,863 | 4,760 | 103 | |
| 2,009 | 1,630 | (379) | Special Projects | 1,630 | 1,421 | 209 | 1 |
| 5,141 | 5,141 | 0 | Youth Justice Services and Programs Agreement | 5,141 | 5,141 | 0 | |
| **13,020** | **12,633** | **(387)** | **Sub-Total** | **12,633** | **12,364** | **269** | |
| | | | **OTHER REVENUE** | | | | |
| 484 | 488 | 4 | Cost Recovery from City of Winnipeg (Remand Centre) | 488 | 486 | 2 | |
| 2,856 | 2,856 | 0 | Cost Recovery from Municipalities | 2,856 | 2,820 | 36 | |
| 5,793 | 5,798 | 5 | Cost Recovery from Victims' Assistance Fund | 5,798 | 5,886 | (88) | |
| 178 | 143 | (35) | Escheats to the Crown | 143 | 50 | 93 | |
| 33,152 | 34,640 | 1,488 | Fines and Costs | 34,640 | 34,256 | 384 | 2 |
| 9,812 | 9,850 | 38 | Law Fees | 9,850 | 8,689 | 1,161 | 3 |
| 6,942 | 5,941 | (1,001) | Sundry | 5,941 | 5,088 | 853 | 4 |
| **59,217** | **59,716** | **499** | **Sub-Total** | **59,716** | **57,275** | **2,441** | |
| **72,237** | **72,349** | **112** | **TOTAL DEPARTMENTAL REVENUE** | **72,349** | **69,639** | **2,710** | |



***Explanation Number:***

1. ***Special Projects - $209 over Estimate and ($379) under 2013/2014 Actual***
   *Increase in case load and special projects relating to the Intensive Rehabilitative Custody Supervision Program (IRCS) and year over year decrease in IRCS based on the recoveries resulting from the number of cases*
2. ***Fines and Costs - $384 over Estimate and $1,488 over 2013/14 Actual***
   *Increase in the volume of photo enforcement tickets issued primarily due to the enforcement of offences in designated construction zones.*
3. ***Law Fees - $1,161 over Estimate and $38 over 2013/14 Actual***
   *Increase in both the volume and the value of probated estates upon which the fee is assessed.*
4. ***Sundry - $853 over Estimate and ($1,001) under 2013/2014 Actual***
   *Primarily due to increases in federal prisoner detention per diems and maintenance enforcement collection service charges with a year over year decrease in federal prisoner detention per diems for the Women's Correctional Centre.*

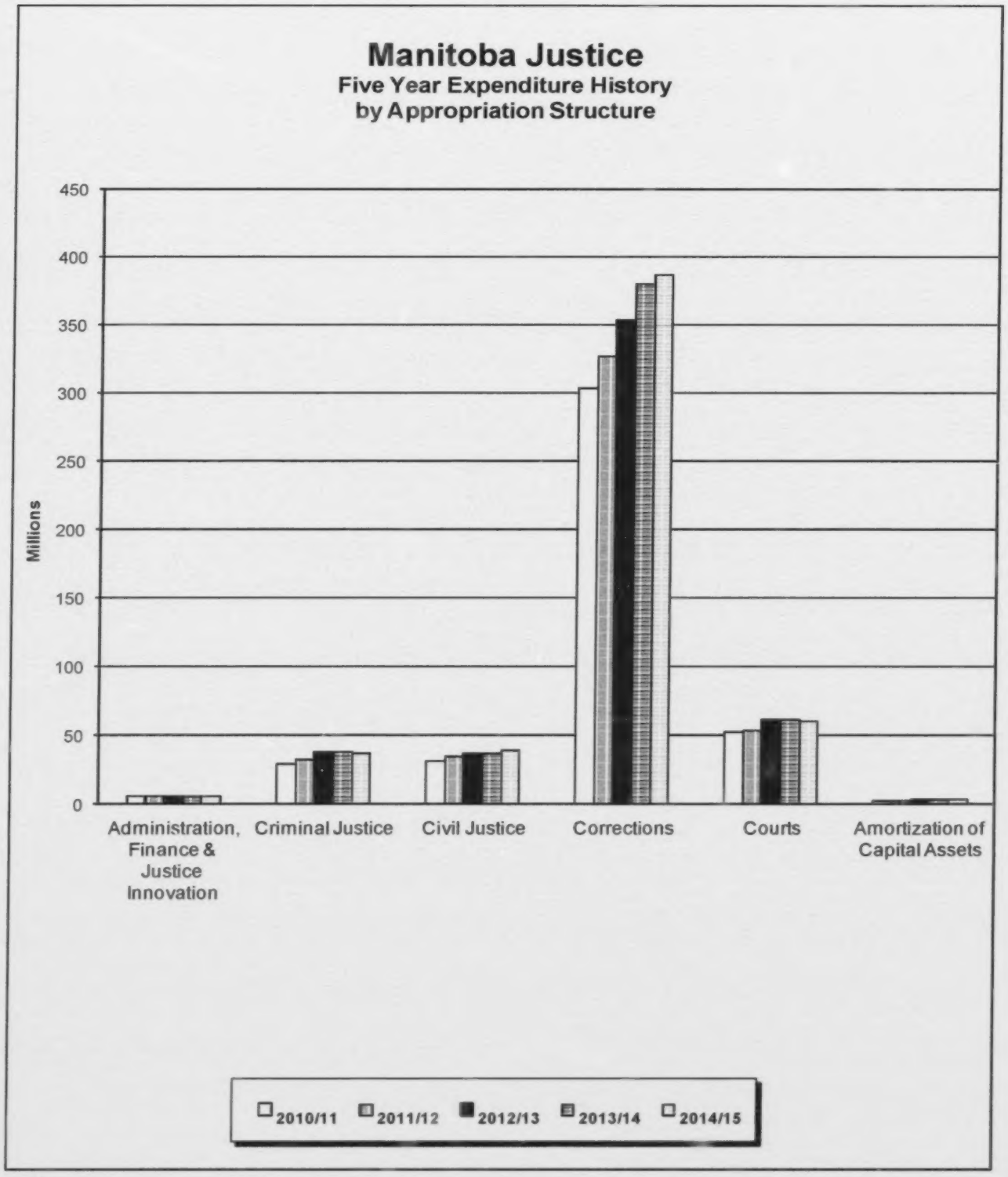
# Manitoba Justice

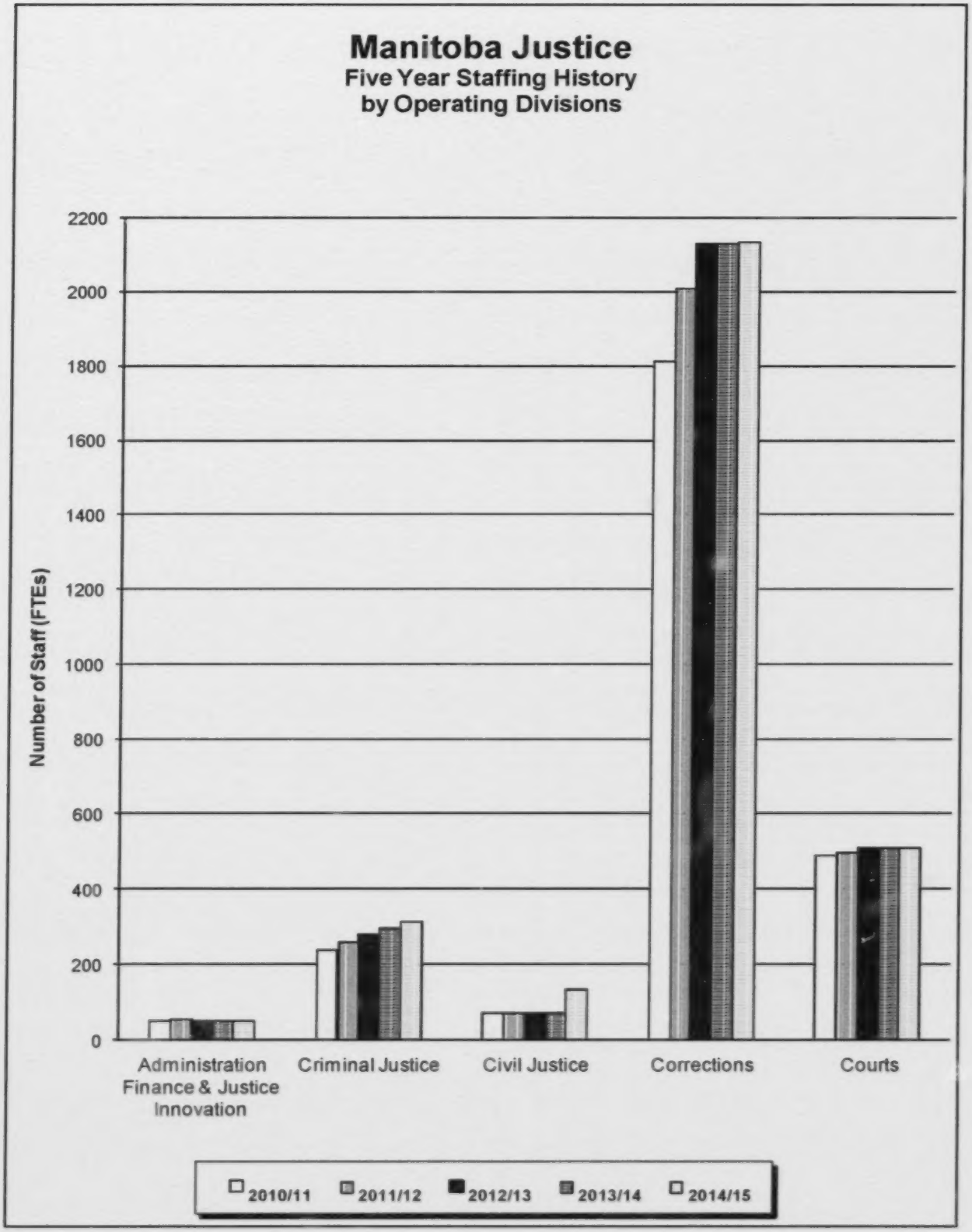
**Historical Information**

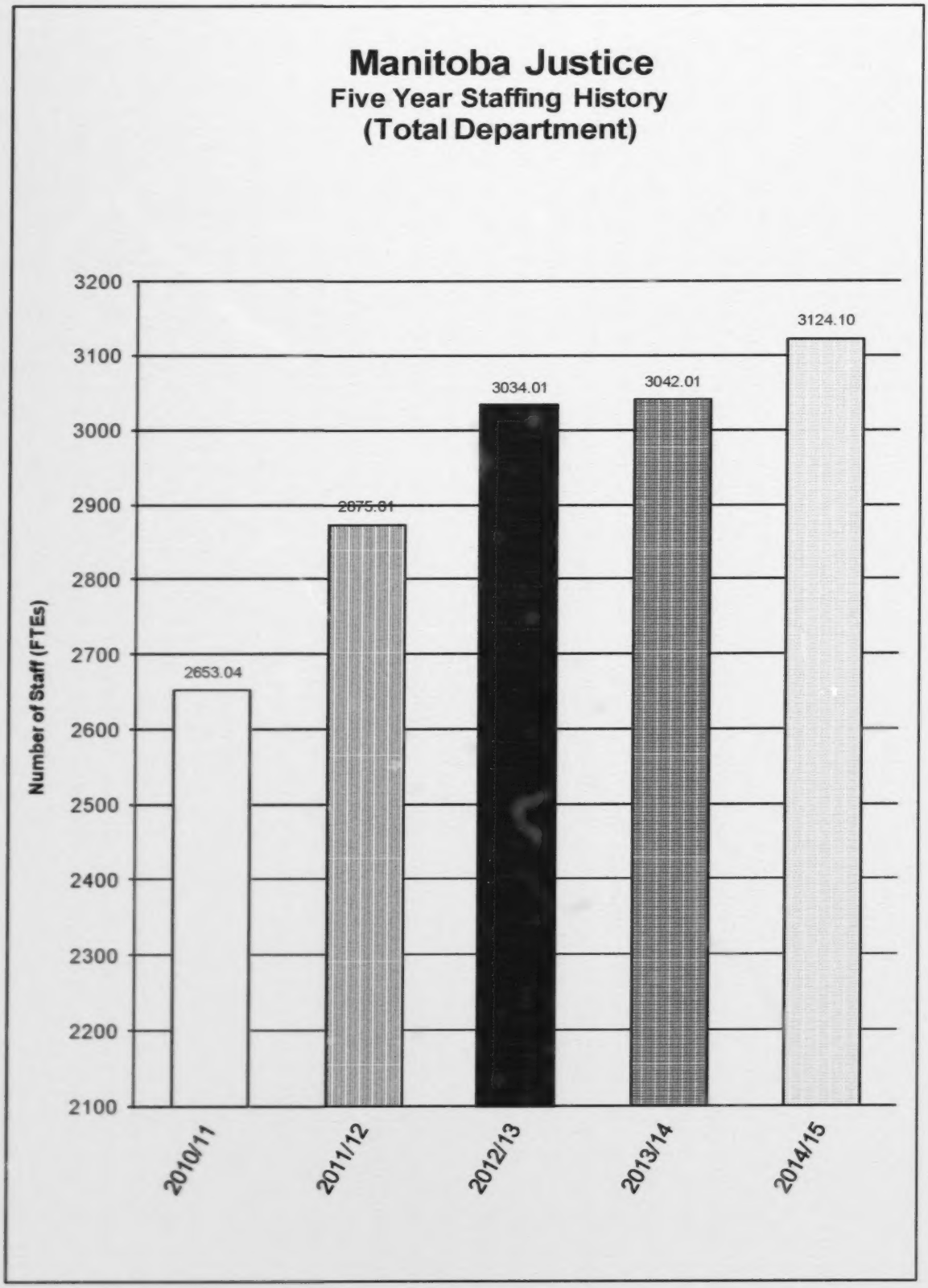
**Five Year Expenditure and Staffing Summary by Appropriation $(000s)**

**For Years Ending March 31, 2011 to March 31, 2015**

| APPROPRIATION | Actual/*Adjusted Expenditures | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 2010/11 | | 2011/12 | | 2012/13 | | 2013/14 | | 2014/15 | |
| | FTE | $(000's) | FTE | $(000's) | FTE | $(000's) | FTE | $(000's) | FTE | $(000's) |
| 04-1 Admin., Finance & Justice Innovation | 48.34 | 5,402 | 48.34 | 5,359 | 48.34 | 5,387 | 45.34 | 5,830 | 44.50 | 5,712 |
| 04-2 Criminal Justice | 238.30 | 28,982 | 257.30 | 32,083 | 278.30 | 37,552 | 294.30 | 37,879 | 308.30 | 36,414 |
| 04-3 Civil Justice | 68.00 | 31,098 | 68.00 | 34,742 | 68.00 | 36,615 | 66.00 | 37,104 | 131.00 | 38,866 |
| 04-4 Corrections | 1,811.62 | 303,079 | 2,008.17 | 326,977 | 2,130.67 | 353,019 | 2,129.67 | 380,169 | 2,134.60 | 387,108 |
| 04-5 Courts | 486.78 | 51,794 | 493.20 | 53,779 | 508.70 | 61,027 | 506.70 | 60,882 | 505.70 | 60,269 |
| 04-6 Costs Related To Capital Assets | | 2,206 | | 2,829 | | 3,034 | | 3,137 | | 3,477 |
| **Total** | **2,653.04** | **422,561** | **2,875.01** | **455,769** | **3,034.01** | **496,634** | **3,042.01** | **525,001** | **3,124.10** | **531,846** |


Manitoba Justice
Five Year Expenditure History
by Appropriation Structure
Millions
450
400
350
300
250
200
150
100
50
0
Administration, Finance & Justice Innovation
Criminal Justice
Civil Justice
Corrections
Courts
Amortization of Capital Assets
2010/11
2011/12
2012/13
2013/14
2014/15


Manitoba Justice
Five Year Staffing History
by Operating Divisions
Number of Staff (FTEs)
2200
2000
1800
1600
1400
1200
1000
800
600
400
200
0
Administration Finance & Justice Innovation
Criminal Justice
Civil Justice
Corrections
Courts
2010/11
2011/12
2012/13
2013/14
2014/15


Manitoba Justice
Five Year Staffing History
(Total Department)
Number of Staff (FTEs)
3200
3100
3000
2900
2800
2700
2600
2500
2400
2300
2200
2100
2653.04
2875.01
3034.01
3042.01
3124.10
2010/11
2011/12
2012/13
2013/14
2014/15

# Performance Reporting

The following section provides information on key performance measures for the department for the 2014/2015 reporting year. This is the ninth year in which all Government of Manitoba departments have included a performance measurement section, in a standardized format, in their annual reports.

Performance indicators in departmental annual reports are intended to complement financial results and provide Manitobans with meaningful and useful information about government activities, and their impact on the province and its citizens.

For more information on performance reporting and the Manitoba government, visit www.manitoba.ca/performance.

Your comments on performance measures are valuable to us. You can send comments or questions to mbperformance@gov.mb.ca.

## Notes on Justice Performance Measure Information

The law and the justice system are important to Manitobans because they provide order in society, a peaceful way to settle disputes, and a means of expressing the values and beliefs of our province and country. The justice system deals with a broad range of criminal, constitutional and administrative laws. It also provides processes to resolve private disputes peacefully and fairly in matters such as contracts, property ownership, family rights and obligations, and damages to property.

One of the most unique, and arguably challenging, features within the justice system is the number of independent but interdependent participants in the criminal justice continuum with defined legal responsibilities: police, prosecutors, defence lawyers (including legal aid counsel), members of the judiciary in three levels of court and corrections officials. Each participant has distinct roles and responsibilities, and many are at odds with one another, yet for the system to be effective the stakeholders must understand, accept, and respect each others' roles and responsibilities. Manitoba Justice, as a provincial government department, has a variety of roles to play in supporting the overall system through its stated mission to *"support and promote safe and just communities for all Manitobans."*

Despite the importance of the justice system in supporting the social well-being of Manitobans, it is very difficult to adequately measure its effectiveness because of the complexity of our laws, the number of independent stakeholders in the system, the need for fairness and due process, and the extremely wide variety of individual matters that the system must handle.

Developing valid and reliable performance indicators will continue to pose a challenge for the Department as we look into the future. Despite these significant challenges, Manitoba Justice has committed to embarking on a performance measures initiative. The measures that the department has developed thus far are described in the table below. The Department of Justice is continuing to review and develop its performance measures.

Note: The most recent data available is used for comparisons made to national averages.

| What is being measured and using what indicator? | Why is it important to measure this? | Where are we starting from (baseline measurement)? | What is the most recent available value for this indicator? | What is the trend over time? | Comments/ Recent Actions/ Report Links |
|---|---|---|---|---|---|
| (1) Safer communities, by measuring the number of police officers per capita in Manitoba as compared to other provinces. | Strong and effective policing enhances safety in Manitoba communities.<br><br>Manitoba Justice directly funds the RCMP provincial police services and the Manitoba government provides grants to support major municipal police forces. | This measure compares Manitoba to other provinces on an ongoing basis.<br><br>Manitoba was second highest among the provinces in 2000, with 187 police officers per 100,000 population. | In the 2014 calendar year, Manitoba had the highest number of police officers per capita of any province in Canada with 206 per 100,000 population.<br><br>See Figure 1, page 63. | Manitoba had the second or third highest among the provinces in recent years and has had the highest for the last three reported years.<br><br>The actual per 100,000 population number has increased from 187 to 206 since 2000. | Manitoba has been investing in increasing the number of police officers in Manitoba communities. |
| (2) Safer communities, by measuring the number of operations in problem properties (including drug, sniff and prostitution houses) closed by the Public Safety Investigations Unit (PSIU). | Manitoba enacted *The Safer Communities and Neighbourhoods Act* and *The Fortified Buildings Act* to target properties that continually and habitually present problems of public safety.<br><br>These problem properties include fortified buildings, places where drugs are sold or used, alcohol is sold without a licence, sniff is made available, prostitution and related activities are taking place, children are being sexually abused or exploited, or unlawful firearms, weapons or explosives are being stored. | *The Safer Communities and Neighbourhoods Act* came into force on February 19, 2002.<br><br>Thirty-six operations were closed in 2003, the first full year of operations for the PSIU. | In the 2014 calendar year, 136 operations in problem properties were closed in Manitoba.<br><br>See Figure 2, p. 63. | The number of operations closed has been increasing over the past five years.<br><br>From the 2002 establishment of the PSIU through to the end of the 2014 calendar year, 866 operations in problem properties have been closed in Manitoba.<br><br>See Figure 2, page 63. | Manitoba's *Safer Communities and Neighbourhoods Act* has established a national precedent in reclaiming the safety and security of neighbourhoods plagued by drugs, prostitution and solvent abuse.<br><br>A number of Canadian jurisdictions have developed similar legislation based on Manitoba's example. |

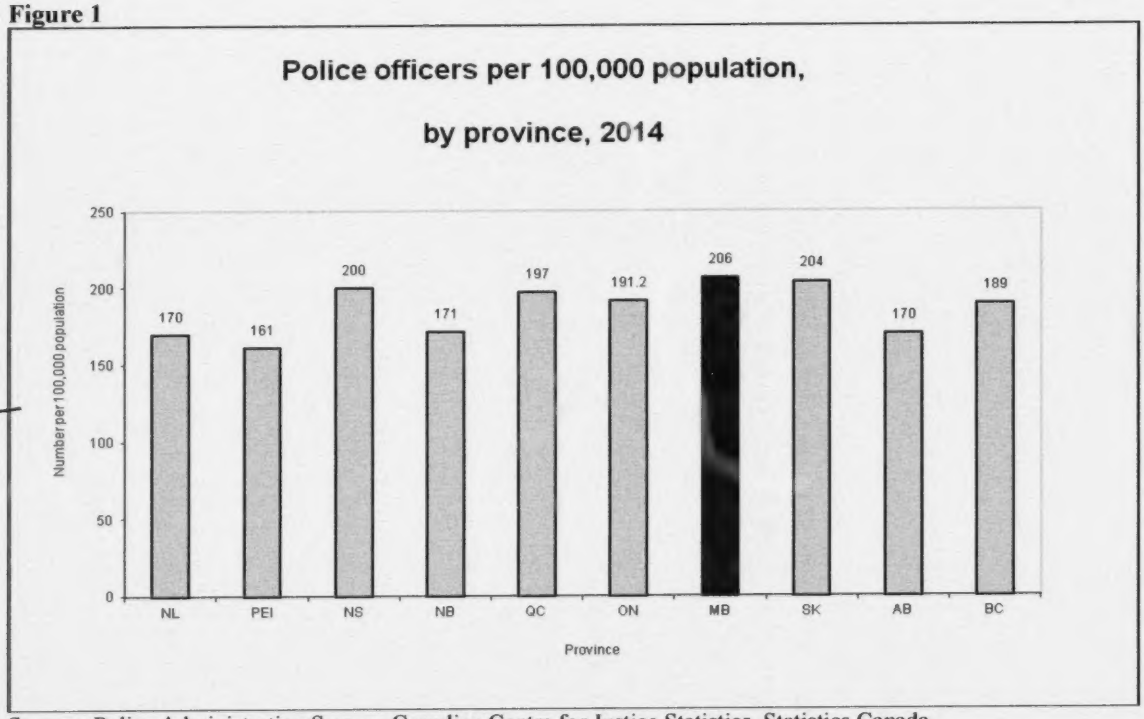
| What is being measured and using what indicator? | Why is it important to measure this? | Where are we starting from (baseline measurement)? | What is the most recent available value for this indicator? | What is the trend over time? | Comments/ Recent Actions/ Report Links |
|---|---|---|---|---|---|
| (3) Aboriginal justice, by measuring the percentage of Aboriginal people served by First Nations policing programs. | Making justice processes more respectful of Aboriginal cultures and values is an ongoing goal of Manitoba Justice.<br><br>First Nations policing programs provide First Nations communities with more input into the policing services that they receive. | The federal First Nations Policing Policy (FNPP) was established in 1991. | An estimated 30 per cent[11] of Manitoba's First Nations communities were receiving funding under the FNPP for the 2014 calendar year. | Since the First Nations Policing Policy (FNPP) was created in 1991, the percentage of Aboriginal people served by First Nations policing programs has been increasing.<br><br>Estimated percentages only, however, are available at this time. | During 2014/2015 the RCMP under the First Nations Community Policing Service (FNCPS) policed ten First Nations communities.<br><br>The Dakota Ojibway Police Service – a standalone First Nations police service – was policing 5 First Nations in Manitoba in 2014. |
| (4) Offender accountability and safer communities, by measuring the Manitoba adult incarceration rate as compared to other provinces. | Manitoba is taking an aggressive stand on violent and gang-related crimes by continuing to oppose bail for those crimes as well as advocating for longer periods of incarceration. | This measure compares Manitoba to other provinces on an ongoing basis.<br><br>Manitoba's adult incarceration rate for 2013/2014 was higher than the national average (90 per 100,000 adults) and increased by 6% from the previous year. | Manitoba's 2013/2014 adult incarceration rate was the highest of all Canadian provinces with 243 inmates in custody per 100,000 adult population.<br><br>See Figure 3, page 64. | Manitoba has had the highest rate among the provinces for the past five years. | In order to manage offender populations, the government has committed to expanding available bed-space in provincial correctional facilities.<br><br>The planning process for the new Dauphin Correctional Centre is continuing to proceed with an anticipated opening date in 2021. |
| (5) Offender accountability and safer communities, by measuring the Manitoba youth incarceration rate as compared to other provinces. | Manitoba is committed to strengthening sanctions for serious youth crime, particularly crimes of violence. | This measure compares Manitoba to other provinces on an ongoing basis.<br><br>Manitoba's youth incarceration rate for 2013/2014 was higher than the national average of 7 young persons in custody per 10,000 population of youth aged 12-17 years. | Manitoba's 2012/2013 youth incarceration rate was the highest of all Canadian provinces with 29 young persons in custody per 10,000 youth population.<br><br>See Figure 4, page 64. | Manitoba has maintained the highest rate among the provinces for the past five years. | The Minister of Justice continues to advocate for national action to deal more effectively with young offenders. |

[11] Manitoba Justice is working with the federal government's RCMP Aboriginal Policing Directorate to refine the methodology for calculating annual percentages.

| What is being measured and using what indicator? | Why is it important to measure this? | Where are we starting from (baseline measurement)? | What is the most recent available value for this indicator? | What is the trend over time? | Comments/ Recent Actions/ Report Links |
|---|---|---|---|---|---|
| (6) Maintaining the integrity of the justice system, particularly access to justice, by measuring the average time from first appearance to disposition in Provincial Court.[12] | A core element of the department's mission is to provide mechanisms for timely and peaceful resolution of civil and criminal matters.<br><br>Time to disposition is a measure of the justice system's capacity to resolve matters in a reasonable amount of time.<br><br>This indicator measures the average amount of time it takes to dispose of a criminal charge, not including charges where a warrant for arrest was issued by the court. | 2006/2007 marked the first year that data became available for this indicator.<br><br>Courts Division continues to refine the methodology for this indicator. | For 2014/2015 the average time to disposition was 193 days.<br><br>See Figure 5, page 65. | Due to changes in methodology, comparisons can only be made back to 2010/2011. In that year the average time to disposition was 187 days. | Process reviews, improved procedures and information technology are being employed to address the growing volume and legal complexity of cases in the justice system. |

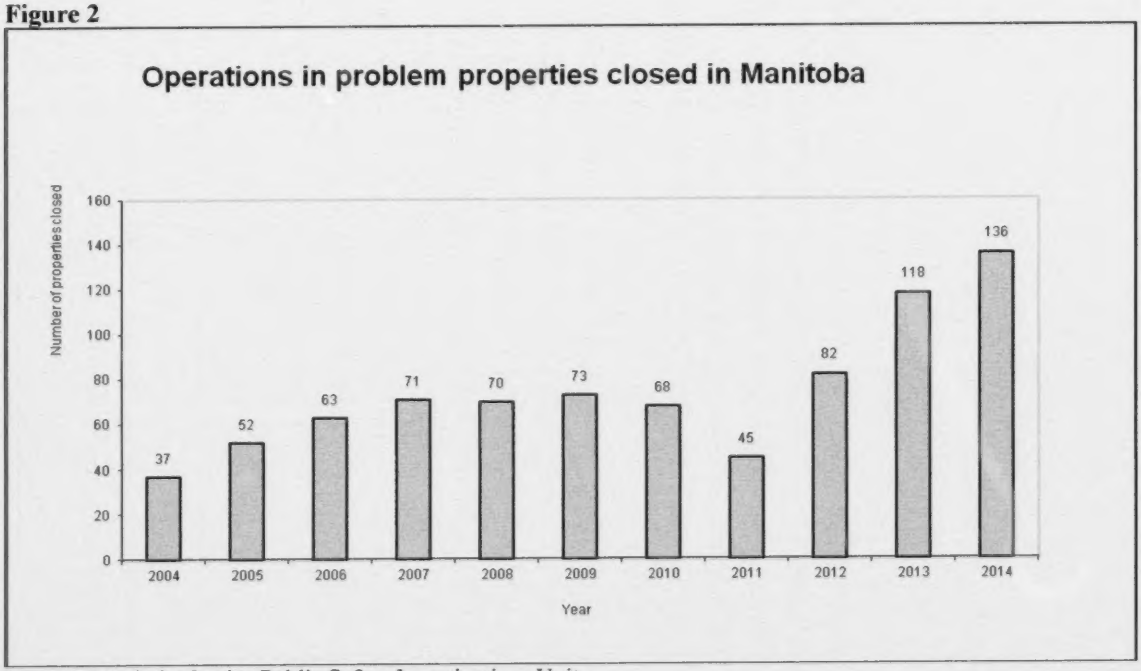
[12] More detailed information on this indicator is provided in the *Annual Report of the Provincial Court of Manitoba* - available on the Provincial Court of Manitoba's website at http://www.manitobacourts.mb.ca/pr/provincial_court.html.

**Figure 1**



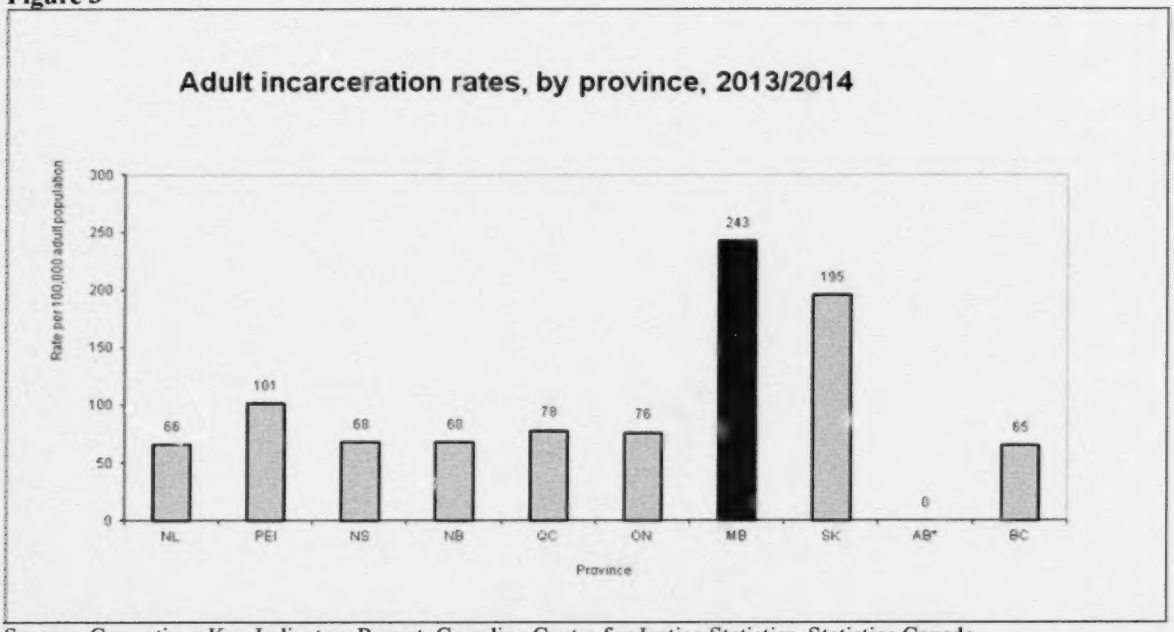

Source: Police Administration Survey, Canadian Centre for Justice Statistics, Statistics Canada

**Figure 2**



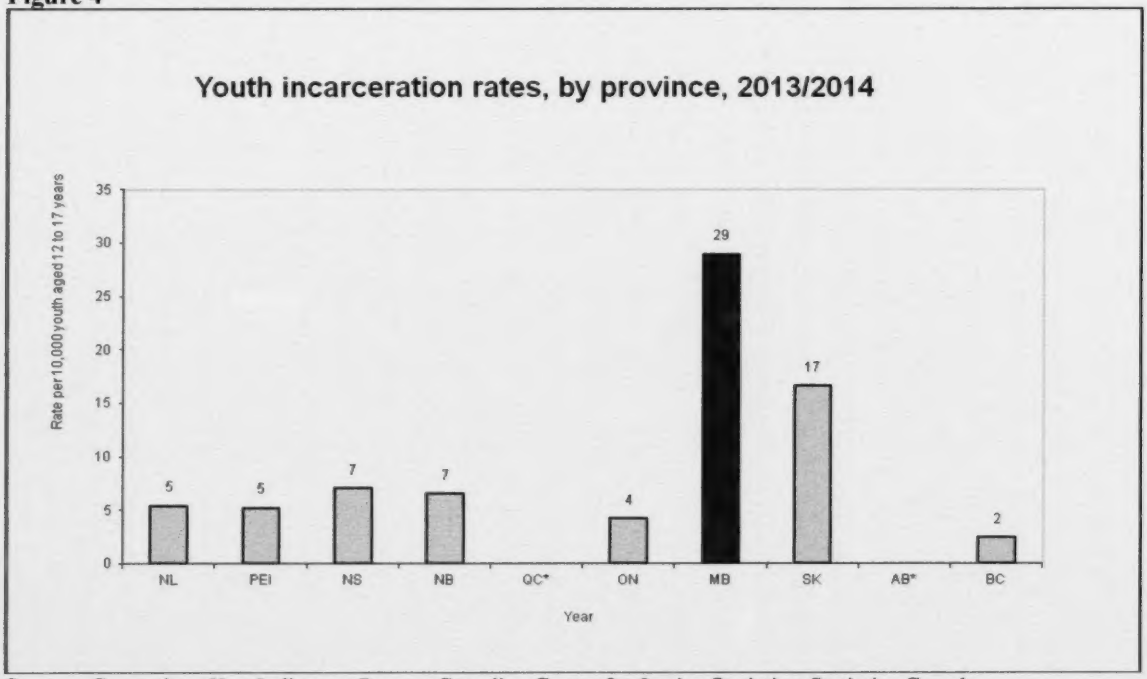

Source: Manitoba Justice Public Safety Investigations Unit

**Figure 3**



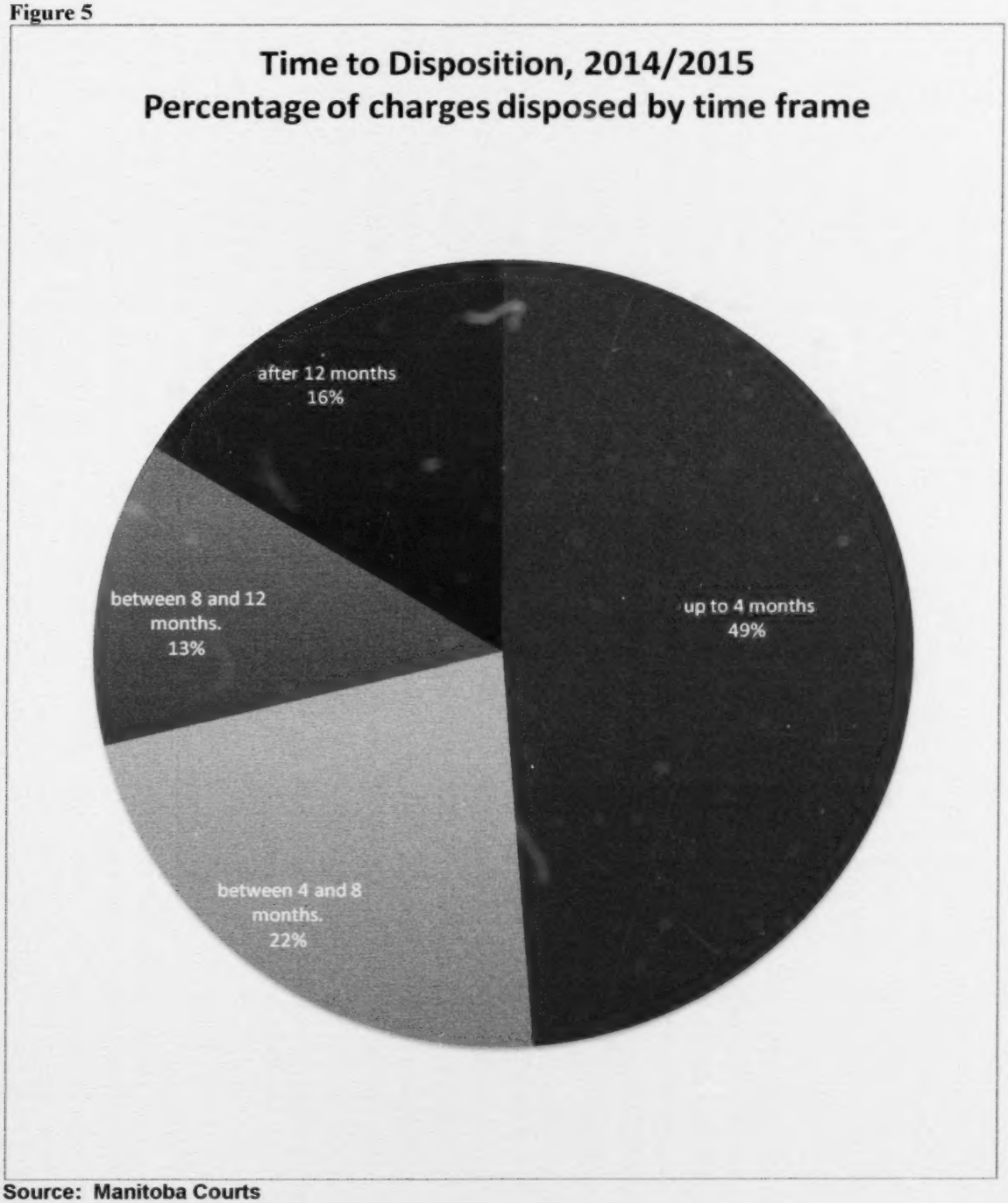

Source: Corrections Key Indicators Report, Canadian Centre for Justice Statistics, Statistics Canada
*Data not available for the province of Alberta

**Figure 4**




Source: Corrections Key Indicators Report, Canadian Centre for Justice Statistics, Statistics Canada
*Data not available for the provinces of Quebec and Alberta

**Figure 5**




**Source: Manitoba Courts**

# The Public Interest Disclosure (Whistleblower Protection) Act

*The Public Interest Disclosure (Whistleblower Protection) Act* came into effect in April 2007. This law gives employees a clear process for disclosing concerns about significant and serious matters (wrongdoing) in the Manitoba public service, and strengthens protection from reprisal. The act builds on protections already in place under other statutes, as well as collective bargaining rights, policies, practices and processes in the Manitoba public service.

Wrongdoing under the act may be: contravention of federal or provincial legislation; an act or omission that endangers public safety, public health or the environment; gross mismanagement; or, knowingly directing or counseling a person to commit a wrongdoing. The act is not intended to deal with routine operational or administrative matters.

A disclosure made by an employee in good faith, in accordance with the act, and with a reasonable belief that wrongdoing has been or is about to be committed is considered to be a disclosure under the act, whether or not the subject matter constitutes wrongdoing. All disclosures receive careful and thorough review to determine if action is required under the act, and must be reported in a department's annual report in accordance with Section 18 of the act.

The following is a summary of disclosures received by Manitoba Justice, The Public Trustee and Legal Aid Manitoba for fiscal year 2014/2015:

| **Information Required Annually**<br>**(per Section 18 of the act)** | **Fiscal Year 2014/2015** |
|---|---|
| The number of disclosures received, and the number acted on and not acted on.<br>*Subsection 18(2)(a)* | **NIL** |
| The number of investigations commenced as a result of a disclosure.<br>*Subsection 18(2)(b)* | **NIL** |
| In the case of an investigation that results in a finding of wrongdoing, a description of the wrongdoing and any recommendations or corrective actions taken in relation to the wrongdoing, or the reasons why no corrective action was taken.<br>*Subsection 18(2)(c)* | **NIL** |

# Capital Investment

Capital investment in Manitoba Justice provides development costs to implement information technology systems and acquire equipment. Capital investment authority is contained in Part B of the annual *Estimates of Expenditure*.

In 2014/2015, Manitoba Justice had capital expenditures for equipment acquisitions $1,552. This is a continuation of previous equipment and systems acquisition practices except that a budget and actual expenditures are now provided under the estimates of capital investment rather than operating appropriations.

## Reconciliation Statement of Printed Vote

| DETAILS | 2014/15 ESTIMATES $(000s) |
|---|---|
| **2014/15 MAIN ESTIMATES** | **$2,831** |
| **MAIN ESTIMATES AUTHORITY TRANSFERRED FROM:** | |
| - Capital Assets – Internal Service Adjustments | |
| **2014/15 ESTIMATE** | **$2,831** |

**Capital Investment**

| Actual 2014/15 $(000s) | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. | Actual 2013/14 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|---|
| 1,552 | 2,831 | (1,279) | 1 | 1,621 | (69) | |

**Explanation**:

1. *Correctional centre projects and video conferencing projects were deferred/cancelled or could not be completed and will be carried over to 2015/16.*

# Justice Initiatives Fund

The $2.25 million Justice Initiatives Fund (JIF) supports development of initiatives to prevent crime and to improve the justice system in Manitoba. Funding is allocated from the Enabling Appropriation (26-3). Actual expenditures for 2014/15 are recorded in Justice (Corrections and Courts) and Children and Youth Opportunities (Crime Prevention) on the basis of administrative responsibility outlined below.

The following criteria have been established to help evaluate Justice Initiatives Fund proposals:

- Does the initiative have the potential to enhance public safety by deterring or preventing crime?
- Does the initiative have the potential to enhance public safety by improving the effectiveness and efficiency of the criminal justice system's treatment of offenders and their victims?
- Does the initiative address Aboriginal justice issues?
- Will the initiative build on existing community organizations or mechanisms, and will it be responsive to community input and direction?
- Does the initiative respond to the recommendations of a public inquiry or external review of the department's operations?
- Does the initiative have the potential to improve the effectiveness or enhance the efficiency of Manitoba Justice's non-criminal service areas?
- Will the initiative be cost-shared with other levels of government, community organizations, and/or private sector partners?
- Can the initiative be maintained in the long run without significantly increasing government expenditures?

### 2014/2015 Justice Initiatives Projects and Allocations

### Justice Programs: $(000s)

**Aboriginal Justice Strategy** – This project supports the expansion of the First Nations Community Justice Worker Program within Manitoba Keewatinowi Okimakanak (MKO) communities and similar programs in Manitoba Métis Federation (MMF) communities. The MKO First Nations Justice Strategy (FNJS) that provides the template for expansion offers restorative justice approaches in MKO First Nation communities through a Cree Magistrates Court, and the diversion of appropriate offences to community justice committees. 2014/2015 funding: $600

**Onashowewin** – This community-based Aboriginal justice program provides community justice alternatives to both adult and young offenders in Winnipeg. 2014/2015 funding: $250

**Restorative Justice Regional Expansion – Bloodvein** - To expand the delivery of restorative justice to other regional locations and to develop contract mediators in communities to deliver services as required. 2014/15 funding $13

**Electronic Monitoring** – This pilot project is testing the use of electronic monitoring technology to provide GPS surveillance of young offenders charged with auto theft in Winnipeg. 2014/2015 funding: $60

**New Directions for Children, Youth, Adults and Families Agency** – This funding supports the ongoing operation of the Transition, Education and Resources for Females (TERF) program, aimed at developing healthy lifestyles for young women, adult women and transgendered individuals who have been exploited through prostitution. 2014/2015 funding: $177

**Federal/Provincial/Territorial Deputy Ministers of Justice and Public Safety Conference** – funding $16

**Safety Aid Crime Prevention for Older Manitobans** – The Safety Aid program, a crime prevention program for older Manitobans, was first launched in 2003. This two-part senior home security program, funded jointly by Justice and Healthy Living, helps prevent break and enters and home invasions. The program consists of a Safety Aid team and Safety Aid forgivable loans through the Home Adaptation for Seniors Independence (HASI) program. 2014/2015 funding: $150

## Children and Youth Opportunities Programs: $(000s)

**Crime Prevention** – The Crime Prevention Fund provides financial support to various crime prevention groups and projects to aid in making Manitoba's communities safer places to live. It also funds an annual symposium. 2014/2015 funding: $60

**Early Child Development Innovation Fund** – Multi-department collaboration to provide resources and support for children at risk to minimize future interventions. 2014/15 funding: $10

**Lighthouses** – This program stimulates the development of partnerships that support recreational, educational and social programs for young Manitobans. Lighthouses makes use of schools, recreation centres and other community facilities outside school hours for sports, arts, music and other activities organized by and for local youth. The province funded 38 Lighthouse sites in Winnipeg and 33 sites in rural Manitoba in 2014/2015. Annual funding for each site is $12. 2014/2015 funding: $842

**Safe Schools Manitoba** – Safe Schools Manitoba is a partnership initiative of organizations committed to working together to enhance the safety of Manitoba's schools and communities. The partners include Manitoba Education, Manitoba Children and Youth Opportunities, professional associations, schools, law enforcement, social service agencies, youth, parents and community agencies. 2014/2015 funding: $53

### Justice Initiatives Fund

| Allocated 2014/15 $(000s) | Estimate 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. | Allocated 2013/14 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|---|---|
| 2,231 | 2,250 | (19) | | 2,250 | (19) | |

**Justice Initiatives Fund...cont'd**

| Expenditures by Department | Actual 2014/15 $(000s) | Allocation 2014/15 $(000s) | Variance Over (Under) $(000s) | Expl. No. |
|---|---|---|---|---|
| **Justice** | | | | |
| • Aboriginal Justice Strategy | 600 | 600 | | |
| • Onashowewin | 250 | 250 | | |
| • Restorative Justice Regional Expansion Bloodvein | 13 | 13 | | |
| • Electronic Monitoring | 60 | 60 | | |
| • New Directions for Children, Youth and Families Agency | 177 | 177 | | |
| • F/P/T Deputy Ministers of Justice and Public Safety Conference | 16 | 16 | | |
| • Safety Aid Crime Prevention for Older Manitobans | 150 | 150 | | |
| **Children and Youth Opportunities** | | | | |
| • Crime Prevention | 60 | 60 | | |
| • Early Childhood Development Innovation Fund | 10 | 10 | | |
| • Lighthouses | 834 | 842 | (8) | |
| • Safe Schools Manitoba | 53 | 53 | | |
| **Total** | **2,223** | **2,231** | **(8)** | |

**Five Year Funding Allocation Summary**

| 2010/11 $(000s) | 2011/12 $(000s) | 2012/13 $(000s) | 2013/14 $(000s) | 2014/15 $(000s) |
|---|---|---|---|---|
| 2,228 | 2,219 | 2,250 | 2,250 | 2,231 |

# Sustainable Development

Section 12 (1) of *The Sustainable Development Act* requires each provincial government department to include information in its annual report about the progress made incorporating sustainable development into its activities. This section of the annual report is intended to identify the department's sustainability in relation to the principles and guidelines of the act, as well as the provincial government's sustainable development procurement goals and guidelines.

## Principles and Guidelines

*The Sustainable Development Act* identifies seven principles and six guidelines to determine the sustainability of an activity. The seven principles of sustainable development include: integration of environmental and economic decisions, stewardship, shared responsibility and understanding, prevention, conservation and enhancement, rehabilitation and reclamation, and global responsibility. The six guidelines of sustainable development are: efficient uses of resources, public participation, access to information, integrated decision making and planning, waste minimization and substitution, and research and innovation.

The department's vision of a safe, just and peaceful society has a connection with the sustainable development principles in that both are committed to building safe, secure and healthy communities. Here are a few highlights of how Manitoba Justice incorporated sustainable development principles and guidelines into its activities for the 2014/2015 fiscal year.

**Prevention**

The principle of prevention illustrates actions taken to foster an anticipatory and precautionary approach to decision making with the goal of identifying possible adverse effects on the economy, environment, health or society in advance and preventing or mitigating effects that pose as a threat.

A number of ongoing Justice programs such as the Gang Repression and Suppression Plan (GRASP), the Winnipeg Auto Theft Suppression Strategy, the Public Safety Investigations Unit and the Criminal Property Forfeiture Unit are some examples of how our department has regularly provided sustainable crime prevention initiatives with the goal of creating safer communities for Manitobans. Highlights that furthered the principle of prevention to enhance public safety in 2014/15 are outlined below:

- Victim Services' Cellphone Emergency Limited Link-up (CELL) program was recognised by the Canadian Wireless Telecommunications Association for providing an added level of protection to Manitoba victims who are at a high risk of domestic violence or stalking. The program is a co-operative effort between Manitoba Justice, Manitoba Telecom Services (MTS), Nokia, UTStarcom, social services agencies and police services. Victims can register their own phones or obtain a free cell phone through the program at times of extreme risk. The phones are pre-programmed to dial emergency services. More information is available at http://www.gov.mb.ca/justice/victims/cell.html.

- Amendments to *The Highway Traffic Act* were proclaimed in June of 2014 to enhance road safety by increasing first time driving suspensions from 24 hours to 72 hours, and by including drug-impaired drivers as those who can face immediate consequences if found driving impaired.

- To enhance the safety and security of Manitobans, funding was provided for 10 new RCMP positions to continue strengthening its presence in rural communities and to prevent criminal activity before it happens.

- Profits obtained through successful seizures of property under *The Criminal Property Forfeiture Act* were reinvested to support crime prevention activities such as 3 cadet programs in northern First Nations communities, Victim Services and equipment for a number of law enforcement agencies across the province.

**Shared Responsibility and Understanding**

Shared responsibility and understanding is a principle that illustrates actions taken to foster a partnership approach to decision making and program delivery. Actions are taken to engage, involve and reflect the interests of various Manitoba communities and groups in departmental decisions and actions.
The department's various Aboriginal justice programs and initiatives exemplify how the department regularly incorporates the principle of shared responsibility and understanding into its ongoing program activities with other levels of government, First Nations communities, non-profit organizations, and Crown corporations. Some examples include:

- *The Restorative Justice Act* was introduced to increase public safety and reduce crime by using restorative justice and community based solutions as an alternative way to hold offenders responsible for their actions outside of the traditional court system. The act was passed in June of 2014 with proclamation pending.

- *The Police Services Amendment Act* was introduced to enable a First Nation, or an entity that represents a group of First Nations, to establish a First Nation safety officer program by entering into an agreement with the Minister of Justice, the Government of Canada and the local policing authority.

**Efficient Use of Resources**

Efficient use of resources is a sustainable guideline that involves the application and use of proper resource pricing, demand management and resource allocation together with incentives to encourage the efficient use of resources; and employs full cost accounting to provide better information for decision makers.

Implementing efficient use of resources requires a clear understanding of the purpose or mission of the organization. This year the department's senior leadership underwent a process to develop new mission and vision statements for the department which can be found at the front of this report. For the coming year the department will be expanding on that work to develop a public five year plan organized around the priorities expressed in those statements. The department also worked on enhancing its capability to do business intelligence and analytics work to better understand the performance of the justice system and the department. Highlights of the department's efficient use of resources for the year include:

- Restructuring the department's organization to be more efficient by merging a number of independent programs and divisions. The Community Safety Division was created by merging public safety and policing programs of Criminal Justice with the Corrections Division to improve on the integration of enforcement with prevention and intervention. One of the goals of restructuring the Community Safety Division was to help create a continuum of care for offenders. Restructuring included creating a new management structure and merging adult and youth operations in both the custody and community programs. A rehabilitative services area was also added.

- The Civil Law Division was created to drive innovation and find efficiencies in the delivery of legal services by merging former SOA Civil Legal Services, Constitutional Law and Family Law Branches into one Legal Services Branch. Efficiencies are expected to improve service to client departments by integrating administrative functions and by providing an integrated approach to the delivery of civil law services.

- A Lean project with the Compensation for Victims of Crime Program was a significant milestone in the department's increasing use of Continuous Improvement methods. This project generated more than 60 improvement ideas, two thirds of which were "quick win" items that could be implemented at no cost. As a result processing times for compensation applications have dropped from 10-11 days to 6 days and the department is now exploring how to promote more widespread adoption of these methods.

- Lawyer video interview capabilities were installed in Milner Ridge Correctional Centre and Headingley Correctional Centre, allowing lawyers the ability to have videoconferences with their incarcerated clients without having to travel. Expected benefits include a reduction in transportation costs, reduced overcrowding in courts lockup, a reduction in the number of court appearances it takes to resolve a matter and a shortened time from first arrest to final disposition by the court. There are now 8 provincial correctional centres that have lawyer video interview capabilities installed in Manitoba.

- Efficient document processing practices were implemented at the Manitoba Youth Centre to decrease the length of time between an order being issued to release a youth and the actual time of release. Efficiencies also include a reduction in the amount of time spent contacting parents, family service agencies and/or guardians following a youth's court appearance and release.

- *The Provincial Court Amendment Act* was passed and proclaimed to allow the use of electronic documents in Provincial Court. The amendment provides the legislative framework required to move towards a paperless court system that is consistent with the requirements of the Criminal Code of Canada.

- *The Court of Queen's Bench Small Claims Practices Act* was amended to create a more streamlined and accessible system to resolve monetary disputes valued under $10,000. Changes include allowing court officers and judges to admit anything into evidence that is considered relevant to the matter; recording all evidence at a hearing in case a transcript is needed for an appeal; requiring court officers and judges to provide a summary of their decision; and with approval from the Court of Queen's Bench to proceed, allow appeals only on points of law or jurisdiction.

- The department continued the multi-year video court expansion project to make video court available throughout Manitoba for court appearances. Video conferencing is expected to be expanded to Portage la Prairie and Brandon as well as 2 Winnipeg courtrooms in the 2015-16 fiscal year. Expenditures for prisoner transports are expected to reduce by expanding video court to major courthouses and correctional centres in the province.

**Access to Information**

Manitoba Justice provides information to the general public in a variety of ways including but not limited to news releases, the Courts, publications, processing requests under *The Freedom of Information and Protection of Privacy Act* (FIPPA), *The Personal Health Information Act* (PHIA), and its website at www.gov.mb.ca/justice.

The department processed 184 formal FIPPA access requests in the 2014-15 fiscal year. All of the FIPPA requests received by the department were completed within the required time frame or were on time and in full compliance with the legislation.

**Integrated Decision Making and Planning**

This guideline is defined as actions taken to encourage and facilitate decision making and planning processes to make them more efficient, timely, accountable and cross-sectoral, and address and account for intergenerational effects.

Ongoing Justice programs such as Legislative Counsel and Legal Services exemplify the department's commitment to this principle by having an integral role creating acts of legislation and related policies initiated by the Government of Manitoba.

The following are some highlights of the department's cross-sectoral work during the year:

- Victim Services used funds they received from the Criminal Property Forfeiture Fund to support trauma and grief counselors from Ka Ni Kanichihk (Medicine Bear Counselling), Eyaa-Keen and Aurora Family Therapy Centre, and Family Dynamics who counsels families affected by domestic violence. Victim Services also supported a travel fund for family members of homicide victims to attend sentencing hearings, and interpreters to help individuals applying for protection orders.

Sustainable principles and guidelines are further demonstrated in the department's sustainable procurement practices.

## Sustainable Development Procurement

Manitoba Justice's sustainable procurement practices are based on the provincial government's sustainable development procurement goals that were first established in 2002. The following occurred in the 2014/2015 fiscal year:

**1. Education, Training and Awareness**

To increase awareness of the benefits of sustainable development procurement practices, key administrative and procurement staff attended a highly informative session on "Advancing Sustainable Development in the Public Sector" that supplied new tools, resources, ideas and success stories on how to improve on purchasing practices that are environmentally friendly and socially responsible.

Manitoba Justice also continued with the provision of an online sustainable development intranet site that is used as a reference guide for department staff. The website covers a variety of sustainable development topics including legislative requirements, sustainable business practices that relate to the department's action plan, reports, green choice products and resources. The department also encouraged staff to use sustainable methods of transportation.

**2. Pollution Prevention and Human Health Protection**

To protect the health and environment of Manitobans from possible adverse effects of provincial government operations and activities, and provide a safe and healthy working environment; the department continued recycling a variety of waste including paper, beverage cans, plastic, books, cardboard, furniture and equipment to reduce solid waste sent to landfills.

To further minimize the waste of paper, the department continued best practices of scanning, storing and sending documents in electronic form; replacing paper based business magazines and news papers with online subscriptions, printing and copying double-sided when possible, and scheduling, corresponding and reporting by email. To minimize paper-based mailings, Manitoba Justice continued the practice of referring the general public to its internet site to obtain more information about the department's programs, initiatives and reports, and its intranet site to provide important departmental information online for staff reference.

In addition, Legal Aid Manitoba implemented a new PBOnline system on April 1, 2014, that allows members of the private bar to review and accept certificates electronically and apply for file authorizations and disbursements through the system. LAM saw significant reductions in the turnaround time for application processing, in certificate acceptance by both staff and private bar, and realized cost savings in paper purchases and postage.

**3. Reduction of Fossil Fuel Emissions**

Manitoba Justice uses a variety of vehicles for circuit court, the transport of offenders in custody or property in trust, and business in general. To contribute to the provincial government's overall goal to reduce the consumption of fossil fuels, the department annually reviews its fleet for efficiency and sustainability. In 2014/2015, the department increased its number of environmentally friendly vehicles by 8 for a total of 93, representing 65 per cent of its (5) owned and (138) leased fleets. Seven environmentally friendly vehicles were electric hybrids that run on a combination of electricity and gas, 77 were equipped to use E85 ethanol fuel and the remaining 9 were diesel models that can run on biodiesel fuel. Overall, the department increased the number of its fleet vehicles by three.

In efforts to substitute regular fossil fuels with ethanol-blended fuel and alternate energy sources, the department continued the practice of using various types of fuels and electricity as an alternate energy source for the department's owned and leased vehicles and equipment. Of the grand total 599,111 litres of fuel purchased in the 2014/2015 fiscal year, the department consumed 22 per cent E10 ethanol fuel, 7 per cent diesel and 71 per cent regular unleaded gas. Compared to the previous year, the department increased its overall fuel consumption by 6 percent. This is largely attributed to a significant increase in fuel consumption due to a start up of a program at one correctional centre. The department's leased fleet decreased its consumption by 4 per cent when compared to the previous year. This is partly attributed to the ongoing video court expansion project that reduces the number of times an in-custody accused is required to be transported from a correctional centre to court.

Further contributions are made by the department to reduce fossil fuel consumption by continuing the use of walker and cyclist couriers for deliveries within downtown Winnipeg and by encouraging staff to annually participate in the National Commuter Challenge. As an example, 134 department staff who participated in the 2014 National Commuter Challenge logged in 8,011 kilometers that translated to 590 litres of fuel saved and 1,167 kilograms of greenhouse gas emissions that were avoided in a period of one week.

**4. Resource Conservation**

To assist the provincial government with its commitment to reducing the total consumption of utilities in provincial government premises, the department continued working with Manitoba Infrastructure and Transportation to ensure Leadership in Energy and Environmental Design (LEED) Green Building Rating System™ standards were used where feasible in construction projects for Justice facilities.

To increase the proportion of environmentally preferable products and services within the context of reduced resource use, the department purchased products that minimize waste by replacing virgin consumable products with sustainable (green) choices that contain post-consumer waste, are remanufactured, reusable or recyclable. Where possible, the department also purchased products that are non-toxic, biodegradable, energy efficient and use minimal packaging.

For the 2014-15 fiscal year, the department maintained its high averages of sustainable purchases for office paper (99 per cent green), hygiene tissue paper (100 per cent), caulk, glue and tape (100 per cent), garbage bags (98 per cent), rags and wipes (99 per cent) and computer furniture (87 per cent). Sixty-seven per cent of correctional institution chairs, 45 per cent of shipping supplies and 44 per cent of filing supplies were also sustainable purchases.

# Appendix I

In accordance with Schedule N of Order-In-Council 388/2013 dated November 13, 2013, as amended by OIC 407/2013, OIC 446/2013, OIC 142/2014, OIC 458/2014, OIC 480/2014 and OIC 570/2014, the Minister of Justice is responsible for administering:

*The Body Armour and Fortified Vehicle Control Act*
*The Child Sexual Exploitation and Human Trafficking Act*
*The International Commercial Arbitration Act*
*The Constitutional Questions Act*
*The Correctional Services Act*
*The Court of Appeal Act*
*The Provincial Court Act*
*The Court of Queen's Bench Act*
*The Court Security Act*
*The Crime Prevention Foundation Act*
*The Criminal Property Forfeiture Act*
*The Cross-Border Policing Act*
*The Crown Attorneys Act*
*The Child Custody Enforcement Act*
*The Discriminatory Business Practices Act*
*The Domestic Violence and Stalking Act*
*The Enforcement of Canadian Judgments Act*
*The Enforcement of Judgments Conventions Act*
*The Escheats Act*
*The Manitoba Evidence Act [Division VI of Part I]*
*The Executive Government Organization Act*
*[subsection 12(2), only, as Keeper of the Great Seal]*
*The Expropriation Act*
*The Family Property Act*
*The Fatality Inquiries Act*
*The Fortified Buildings Act*
*The Gunshot and Stab Wounds Mandatory Reporting Act*
*The Helen Betty Osborne Memorial Foundation Act*
*The Human Rights Code*
*The Inter-jurisdictional Support Orders Act*
*The Intoxicated Persons Detention Act*
*The Reciprocal Enforcement of Judgments Act*
*The Canada - United Kingdom Judgments Enforcement Act*
*The Jury Act*
*The Department of Justice Act*
*The Justice for Victims of Child Pornography Act*
*The Law Enforcement Review Act*
*The Law Fees and Probate Charge Act*
*The Law Reform Commission Act*
*The Legal Aid Manitoba Act*
*The Lobbyists Registration Act*
*The Mental Health Act [Part 10 and clauses 125(1)(i) and (j)]*
*The Minors Intoxicating Substances Control Act*
*The Missing Persons Act*

*The Municipal By-law Enforcement Act*
*The Police Services Act*
*The Privacy Act*
*The Private Investigators and Security Guards Act*
*The Proceedings against the Crown Act*
*The Profits of Criminal Notoriety Act*
*The Provincial Offences Act*
*The Public Guardian and Trustee Act*
*The Public Trustee Act*
*The Regulations Act*
*The Safer Communities and Neighbourhoods Act*
*The International Sale of Goods Act*
*The Sheriffs Act*
*The Statutes and Regulations Act*
*The Interprovincial Subpoena Act*
*The Summary Convictions Act*
*The Transboundary Pollution Reciprocal Access Act*
*The Uniform Law Conference Commissioners Act*
*The Vacant Property Act*
*The Victims' Bill of Rights*
*The Witness Security Act*

**Other statutes related to areas for which the Minister of Justice is responsible:**

*The Age of Majority Act*
*An Act to Repeal the Statute of Frauds*
*The Apportionment Act*
*The Arbitration Act*
*The Blood Test Act*
*The Boundary Lines and Line Fences Act*
*The Builders' Liens Act*
*The Civil Remedies against Organized Crime Act*
*The Class Proceedings Act*
*The Controverted Elections Act*
*The Court of Queen's Bench Small Claims Practices Act*
*The Court of Queen's Bench Surrogate Practice Act*
*The Debtors' Arrest Act (Public Unconsolidated)*
*The Defamation Act*
*The Dependants Relief Act*
*The Distress Act*
*The Domicile and Habitual Residence Act*
*The Equality of Status Act*
*The Executions Act*
*The Factors Act*
*The Family Maintenance Act*
*The Fatal Accidents Act*
*The Federal Courts Jurisdiction Act*
*The Fraudulent Conveyances Act*
*The Frustrated Contracts Act*
*The Garage Keepers Act*

*The Garnishment Act*
*The Gold Clauses Act*
*The Guarantors' Liability Act*
*The Health Care Directives Act*
*The Homesteads Act*
*The Hotel Keepers Act*
*The Infants' Estates Act*
*The Interpretation Act*
*The International Trusts Act*
*The Intestate Succession Act*
*The Judgments Act*
*The Law of Property Act*
*The Limitation of Actions Act*
*The Manitoba Evidence Act (Parts I and IV)*
*The Marine Insurance Act*
*The Married Women's Property Act*
*The Mental Health Act (Part 9)*
*The Mercantile Law Amendment Act*
*The Mortgage Act*
*The Newspapers Act*
*The Nuisance Act*
*The Occupiers' Liability Act*
*The Official Securities Act*
*The Parental Responsibility Act*
*The Parents' Maintenance Act*
*The Perpetuities and Accumulations Act*
*The Petty Trespasses Act*
*The Powers of Attorney Act*
*The Presumption of Death Act*
*The Registration of Property Restraint Orders Act*
*The Repair Shops Act*
*The Retirement Plan Beneficiaries Act*
*The Sale of Good Act*
*The Sand and Gravel Act*
*The Short Forms Act*
*The Soldiers' Estates Act*
*The Stable Keepers Act*
*The Survivorship Act*
*The Threshers' Liens Act*
*The Tortfeasors and Contributory Negligence Act*
*The Trustee Act*
*The Unconscionable Transactions Relief Act*
*The Use of Animals to Shield Unlawful Activities Act*
*The Warehousemen's Liens Act*
*The Wills Act*

# Appendix II

**Court of Appeal Office in Manitoba**

Winnipeg

# Appendix III

**Court of Queen's Bench Offices in Manitoba**

Winnipeg
Brandon
Dauphin
Flin Flon
Minnedosa
Morden
Portage la Prairie
St. Boniface
Selkirk
Swan River
The Pas
Thompson
Virden

# Appendix IV

**Court Centres and Circuit Court locations within Manitoba – Winnipeg and Regional**

The following is a list of court centres and circuit court locations within Manitoba:

Brandon
- Boissevain
- Sioux Valley

Dauphin
- Camperville
- Roblin

Flin Flon
- Cranberry Portage
- Snow Lake

Minnedosa
- Rossburn
- Russell
- Waywayseecappo

Morden

Portage la Prairie
- Sandy Bay

Selkirk
- Beausejour
- Berens River
- Bloodvein
- Emerson
- Garden Hill
- Gimli
- Little Grand Rapids
- Pauingassi
- Poplar River
- Powerview (formerly Pine Falls)
- St. Martin
- St. Theresa Point

Steinbach
- St. Pierre-Jolys

Swan River

The Pas
- Easterville
- Grand Rapids
- Moose Lake
- Pukatawagan

Thompson
- Brochet
- Churchill
- Cross Lake
- Gillam
- God's Lake Narrows
- God's River
- Lac Brochet
- Leaf Rapids
- Lynn Lake
- Nelson House
- Norway House
- Oxford House
- Shamattawa
- South Indian Lake
- Split Lake

Virden

Winnipeg – 408 York Avenue
- Altona
- Arborg
- Ashern
- Fisher Branch
- Lundar
- Manitoba Youth Centre
- Peguis
- Stonewall

Winnipeg – St. Boniface

Winnipeg – Summary Convictions Court

# Appendix V

**The following is a list of some of the most commonly contacted branches, boards, agencies and programs reporting to the Minister of Justice. To contact offices not listed here, please call:**

**Manitoba Government Inquiry**
**1-866-626-4862, toll free outside Winnipeg**

Aboriginal and Community Law Enforcement
1800 – 155 Carlton Street
Winnipeg MB R3C 3H8
204-945-2408

Aboriginal Courtwork Program
3rd Floor – 408 York Ave.
Winnipeg MB R3C 0P9
204-945-3909

Administration, Finance & Justice Innovation
1110 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-2878

Legal Services Branch
730 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-2832

Compensation for Victims of Crime
1410 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-0899

Legal Services Branch - Constitutional Law
1205 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-0679

Community Safety Division
810 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-7804

Court of Appeal
Main Floor – 408 York Ave.
Winnipeg, MB R3C 0P9
204-945-2647

Court of Queen's Bench
Room 100C - 408 York Avenue
Winnipeg MB R3C 0P9
Civil: 204-945-0344
Criminal: 204-945-3040
Family Division (Divorce): 204-945-2920
Administration: 204-945-0091

Courts Division
235 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-0504

Deputy Minister's Office
110 Legislative Building – 450 Broadway
Winnipeg MB R3C 0V8
204-945-3739

Legal Services Branch - Family Law
1230 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-0268

Human Rights Commission
7th Floor - 175 Hargrave Street
Winnipeg MB R3C 3R8
204-945-3007

Independent Investigation Unit
1802 – 155 Carlton Street
Winnipeg MB R3C 3H8
204-948-7000

Law Enforcement Review Agency
420 - 155 Carlton Street
Winnipeg MB R3C 3H8
204-945-8667

Law Reform Commission
432 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-2896

Legal Aid Manitoba
4th Floor - 287 Broadway
Winnipeg MB R3C 0R9
204-985-8500

Legislative Counsel
410 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-5758

Maintenance Enforcement
Building #80 – 352 Donald St.
Winnipeg MB R3B 2H8
204-945-7133

Manitoba Police Commission
1801 – 155 Carlton St.
Winnipeg MB R3C 3H8
204-948-1400

Manitoba Prosecutions Service
510 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-2852

Minister's Office
104 Legislative Building – 450 Broadway
Winnipeg MB R3C 0V8
204-945-3728

Office of the Chief Medical Examiner
210 - 1 Wesley Avenue
Winnipeg MB R3C 4C6
204-945-2088

Policy Development and Analysis
1210 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-6726

Provincial Court
Main Floor, 408 York Avenue
Winnipeg MB R3C 0P9
204-945-3454

The Public Guardian and Trustee
155 Carlton Street – Suite 500
Winnipeg MB R3C 5R9
204-945-2700

Review Board
2nd Floor - 408 York Avenue
Winnipeg MB R3C 0P9
204-945-4438

Sheriff Services, Civil Enforcement Section
2nd Floor - 373 Broadway
Winnipeg MB R3C 4S4
204-945-2107

Summary Convictions Court
100 – 373 Broadway
Winnipeg MB R3C 4S4
204-945-3156

Vehicle Impoundment Registry
2nd Floor - 408 York Avenue
Winnipeg MB R3C 0P9
204-945-4454

Victim/Witness Assistance
400 - 408 York Avenue
Winnipeg MB R3C 0P9
204-945-3594

Victim Services
1410 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-6851
1-866-484-2846